United Nations A/56/159

General Assembly

Distr.: General
9 July 2001

Original: English

Fifty-fifth session
Item 19 of the preliminary list*
Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Question of Western Sahara

Report of the Secretary-General

1. On 8 December 2000, the General Assembly adopted, without a vote, resolution 55/141 on the question of Western Sahara. The Secretary-General, in close cooperation with the current Chairman of the Organization of African Unity (OAU), has continued to exercise his good offices with the parties concerned. The present report, which covers the period from 31 August 2000 to 30 June 2001, is submitted in accordance with paragraph 11 of that resolution.

2. Pursuant to Security Council resolution 1309 (2000) of 25 July 2000, the Secretary-General on 25 October, submitted a report (S/2000/1029) to the Council, in which he informed the Council that, at the London meeting held on 28 June 2000, his Personal Envoy, James A. Baker III, had asked the two parties to participate in expert-level technical meetings at Geneva to address outstanding issues relating to the appeals process, prisoners of war, political detainees and the implementation of confidence-building measures for the return of Saharan refugees.

3. Those meetings had been convened on 20 and 21 July 2000 by the Special Representative of the Secretary-General, William Eagleton, and the Deputy to the Personal Envoy, John R. Bolton, with the participation of the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC). The Frente Population para la liberacíon de Saguia el-Hamra y del Rio de Oro (Frente POLISARIO) had indicated that it was not in a position to discuss the release of 1,686 Moroccan prisoners of war while refugees in the Tindouf camps were still living under "unacceptable" conditions. The fate of the prisoners of war was raised by the Moroccan delegation, which also gave a general account of the status of the 207 presumed political detainees whose names had been submitted by the independent jurist to the Government of Morocco in 1998. The Moroccan delegation reported that only one among those listed was still detained in Morocco and promised to provide detailed information at a later

* A/56/50.

01-44717 (E) 270701

stage. An annotated list providing detailed information on the status of those persons was subsequently provided by the Special Representative to the Frente POLISARIO on 9 October 2000.

4. The Secretary-General further reported that separate meetings had also been held in Geneva on the practical steps for the implementation of confidence-building measures pursuant to Security Council resolutions 1238 (1999), 1263 (1999) and 1282 (1999). Both parties had agreed in principle to allow exchanges of family visits between Laayoune and the Tindouf refugee camps under the auspices of UNHCR and the United Nations Mission for the Referendum in Western Sahara (MINURSO). However, while the Frente POLISARIO had accepted a draft paper on the exchange of family visits proposed by the United Nations, the Moroccan delegation undertook to obtain its Government's endorsement or suggested amendments. Subsequent discussions, including those held in Berlin on 28 September, had failed to produce a set of operational points acceptable to the Moroccan side. The Moroccan delegation had declined to discuss the appeals process, because it considered the problems regarding that issue as political and not technical.

5. Pursuant to Security Council resolution 1309 (2000), the parties were invited to meet in Berlin on 28 September 2000, under the auspices of the Personal Envoy of the Secretary-General. The two neigbouring countries, Algeria and Mauritania, were again invited to attend as observers. In his opening statement, the Personal Envoy emphasized that the basis for the meeting would be paragraph 1 of Security Council resolution 1309 (2000), in which the Council stated its expectation that the parties would meet in direct talks to try to resolve the multiple problems related to the implementation of the settlement plan and to try to agree upon a mutually acceptable political solution to their dispute over Western Sahara.

6. During that meeting, both parties failed to come up with specific proposals to resolve the multiple problems in the implementation of the settlement plan that both would agree to. The Frente POLISARIO was of the view that the remaining obstacles could be overcome with the cooperation of the parties and expressed its willingness to engage in a substantive discussion on the implementation of the appeals procedures immediately. Morocco, after recalling in some detail the many obstacles in the implementation of the plan, was of the view that the difficulties encountered were not of a mere technical nature but involved "errors" and "distortions" in the implementation of the plan that could not satisfy the thousands of rejected applicants. Although Morocco had sufficient reason to reject the manner in which the settlement plan was being implemented, it had not done so because it wanted to facilitate the task of the Personal Envoy. Nevertheless, Morocco was of the opinion that, despite all good will, the difficulties faced in the implementation of the plan could not be overcome.

7. The Personal Envoy regretted that the parties' positions on the outstanding issues had not changed since 1997. Neither party had come with any new position on any issue. He felt that there was no political will on either side and reiterated his view that there were many ways to achieve self-determination. It could be achieved through war or revolution; it could be achieved through elections, but this required good will; or it could be achieved through agreement, as other parties to disputes had done. He then asked the parties whether they would be willing to try the latter route without abandoning the settlement plan. The Frente POLISARIO reiterated its

commitment to the plan and its readiness to discuss the appeals process but added that it was not ready to discuss anything outside the settlement plan.

8. While also committed to the settlement plan, Morocco expressed the view that the way in which the plan was being implemented meant that two thirds of the Saharan population would be excluded from the referendum. Morocco therefore expressed the wish to explore other ways and means to settle the conflict. In response to Security Council resolution 1309 (2000), Morocco was prepared to initiate a "sincere" and "frank" dialogue with the other party to the dispute, as long as Morocco's national sovereignty and territorial integrity were respected. Morocco's position was reiterated in a letter addressed to the Secretary-General and to the President of the Security Council on 19 October 2000 (S/2000/1003).

9. Rejecting the Moroccan proposal, the Frente POLISARIO reiterated that it would cooperate and adhere to any dialogue within the framework of the settlement plan alone. The Personal Envoy indicated that while no one was abandoning the settlement plan, this was the first time that Morocco had expressed readiness to engage in a direct dialogue.

10. On 13 October 2000, the Frente POLISARIO informed the Secretary-General that it had accepted the proposals of the Personal Envoy in Berlin to facilitate the implementation of the confidence-building measures. It reaffirmed its commitment to the settlement plan and its readiness to continue the dialogue and negotiations with Morocco, under the auspices of the Personal Envoy, within the strict framework of the settlement plan, the Houston agreements and the protocols of May 1999, in order to overcome the final obstacles to the implementation of the plan.

11. On 9 October 2000, Algeria reiterated its support for the Secretary-General's efforts and those of the Personal Envoy and the Special Representative to organize a free and impartial referendum for self-determination for the people of Western Sahara (A/55/468-S/2000/975).

12. The Secretary-General recalled that when he had appointed his Personal Envoy early in 1997, he had asked him to undertake a fresh assessment of the situation the purpose of which would be threefold: to assess, in consultation with the parties, the implementability of the settlement plan in its present form; to examine whether there were any adjustments, acceptable to the parties, which would significantly improve the chances of implementing it in the near future; and, if not, to recommend other possible ways of resolving the conflict (S/1997/742, para. 23).

13. The Secretary-General shared the view of his Personal Envoy that further meetings of the parties would not succeed, and could indeed be counterproductive, unless the Government of Morocco, as administrative power of the Territory, was prepared to offer or support some devolution of authority for all inhabitants and former inhabitants of the Territory that would be genuine, substantive and in keeping with international norms. If the Government of Morocco was not prepared to offer or support some devolution of governmental authority that could be discussed at a meeting of the parties during the next extension of the mandate of MINURSO, the Mission should begin hearing the pending appeals from the identification process on an expedited basis without regard as to how long it might be expected to take to complete them. He recommended that the Security Council extend the mandate of MINURSO for a period of four months, until 28 February 2001.

14. On 30 October 2000, the Security Council adopted resolution 1324 (2000), by which it extended the mandate of MINURSO until 28 February 2001, with the expectation that the parties, under the auspices of the Personal Envoy, would continue to try to resolve the multiple problems relating to the implementation of the settlement plan and try to agree upon a mutually acceptable political solution to their dispute over Western Sahara. It also requested the Secretary-General to provide an assessment of the situation before the end of the mandate period.

15. Pursuant to the above-mentioned resolution, the Secretary-General submitted to the Council, on 20 February 2001, a report (S/2001/148) in which he informed the Security Council that his Personal Envoy had not been able to dedicate the time and effort necessary to see if the Government of Morocco, as administrative power in Western Sahara, was prepared to offer or support some devolution of authority for all inhabitants and former inhabitants of the Territory that was genuine, substantial and in keeping with international norms, as he had been required to undertake duties related to the presidential elections in the United States of America. The Personal Envoy had since been able to re-engage fully in trying to assist the parties in finding an early, durable and agreed resolution to their dispute over Western Sahara.

16. The Secretary-General informed the Council that there had been an increase in tensions due to the crossing, in early January 2001, of the Paris-Dakar rally into Western Sahara, whose organizers had only sought permission from Morocco for entering the Territory. The Frente POLISARIO had indicated that the passage of the rally through the Territory would constitute a violation of the ceasefire and that, in that event, the Frente POLISARIO would no longer consider itself bound by the ceasefire. Moroccan officials had, for their part, vowed that in such an eventuality the Kingdom would take all necessary defensive measures. However, following appeals by the presidency of OAU, friendly countries and the United Nations, the Frente POLISARIO suspended its decision to resume military activities.

17. With regard to the appeals process, the Security Council was informed that the Identification Commission had received a total of 131,038 appeals. The overwhelming majority of the appeals filed (115,645), were against exclusion from the provisional voter list, with most of them (108,708) bringing new evidence. Most of those appellants had listed one or two witnesses to support their claims, with only limited documentary evidence. Among the rest, 1,260 appellants were claiming that the Commission had failed to convoke or to identify them, 5,079 appellants had claimed force majeure, while 643 appellants, not identified, claimed to have been on the 1991 revised census list. The final category of appellants (15,393 persons) included those contesting the inclusion of other persons on the provisional voter list. Regarding potential additional appellants, the Government of Morocco estimated that those who had reached 18 years of age after 31 December 1993 would number about 30,000, while the Frente POLISARIO believed that their total number would not exceed 11,000, including 5,000 in Tindouf.

18. The Secretary-General informed the Security Council that 201 Moroccan prisoners held by the Frente POLISARIO, more than half of whom had been held for more than 20 years, had been repatriated under the auspices of ICRC. In the wake of that positive development, which had been achieved with the cooperation of Algeria and the Frente POLISARIO, the Secretary-General once again joined ICRC in calling for the early repatriation of the remaining 1,481 prisoners of war, many of whom were in poor health following their long detention.

19. With regard to military matters, there had been no progress in the implementation of the military agreements between MINURSO and the two parties, in view of the above-mentioned developments in connection with the Paris-Dakar rally. On 31 December 2000, Frente POLISARIO liaison officers had advised MINURSO that, effective 1 January, the Frente POLISARIO would impose restrictions on the freedom of movement of MINURSO air and ground reconnaissance patrols. At the same time, all Frente POLISARIO units had deployed outside of their confinement locations without prior notification to MINURSO. Such developments were in violation of the military agreements between MINURSO and the two parties and had been brought to the attention of the Frente POLISARIO, which had confirmed to MINURSO that the restrictions imposed on the military observers could not be lifted at that time.

20. Concluding his report, the Secretary-General had noted that the period since his last report had witnessed a deterioration in the relations between the two parties. Although the Frente POLISARIO had decided, at the last minute, not to act on its threat to resume hostilities, a climate of increased mistrust and bitterness had set in between the parties that was undermining the agreed ceasefire regime. Regrettably, he could report no progress towards overcoming the obstacles to the implementation of the settlement plan or towards determining whether the Government of Morocco, as administrative power in Western Sahara, was prepared to offer or support some devolution of authority for all inhabitants and former inhabitants of the Territory that was genuine, substantial and in keeping with international norms. The only positive development during that period had been the decision by the Frente POLISARIO, on 14 December 2000, to release 201 Moroccan prisoners of war on humanitarian grounds, for which he expressed his deep appreciation, in particular to the Frente POLISARIO and to ICRC, who assisted in facilitating the repatriation.

21. The Secretary-General supported the recommendation of his Personal Envoy to extend the mandate of MINURSO until 30 April 2001 in order to see whether the Government of Morocco was prepared to offer or support some devolution of governmental authority as described above. Failing such offer or support, MINURSO would be directed to begin hearing the pending appeals from the identification process on an expedited basis, without regard as to how long it might be expected to take to complete them. This would be the last request that the Personal Envoy would support for an extension of the mandate to provide time to determine if the Government of Morocco was prepared to offer or support some devolution of authority. The Secretary-General shared the views of his Personal Envoy and recommended that the Security Council extend the mandate of MINURSO for a period of two months until 30 April 2001.

22. On 27 February 2001, the Security Council adopted resolution 1342 (2001) by which it decided to extend the mandate of MINURSO until 30 April 2001, with the expectation that the parties, under the auspices of the Personal Envoy, would continue to try to resolve the multiple problems relating to the implementation of the settlement plan and try to agree upon a mutually acceptable political solution to their dispute over Western Sahara. The resolution requested the Secretary-General to provide an assessment of the situation before the end of the mandate period.

23. Pursuant to the above-mentioned resolution, the Secretary-General submitted to the Security Council, on 24 April 2001, a report (S/2001/398) in which he informed the Council that, during the reporting period, his Personal Envoy had

consulted separately with representatives of both parties, some members of the Council and representatives of MINURSO and the Secretariat in his efforts to assist the parties to find an early, durable and agreed resolution to their dispute over Western Sahara.

24. On the military side, following the Paris-Dakar rally, restrictions by the Frente POLISARIO on the movements of MINURSO military observers had remained in effect. On 15 March 2001, MINURSO was informed by the Moroccan military authorities of plans to begin construction of an asphalted road at the south-western corner of Western Sahara, across the 5-kilometre buffer strip and into Mauritania. After interventions by the Special Representative and MINURSO's military commander, work on the road was not started.

25. With regard to the Saharan refugees in the Tindouf camps, the reduction of basic assistance due to the financial constraints faced by UNHCR had had a negative impact on the beneficiaries in the camps, especially the vulnerable group of refugees. UNHCR was monitoring the overall situation and prioritizing its assistance programme to focus more on "life-sustaining" activities, especially on the vulnerable refugees.

26. The Secretary-General concluded that, although there had been no progress towards overcoming the obstacles to the implementation of the settlement plan, there had been substantial progress towards determining whether the Government of Morocco, as administrative power in Western Sahara, was prepared to offer or support some devolution of authority for the Territory. Because of that progress, the Secretary-General recommended that MINURSO's mandate be extended for two months, until 30 June 2001, so that the Personal Envoy could consult further with the parties (either separately or at a meeting of the parties, or both) concerning both a possible devolution of authority as described above and a possible solution to the problems with the implementation of the settlement plan.

27. On 27 April 2001, the Security Council adopted resolution 1349 (2001) by which it decided to extend the mandate of MINURSO until 30 June 2001, with the expectation that the parties, under the auspices of the Personal Envoy of the Secretary-General, would continue to try to resolve the multiple problems relating to the implementation of the settlement plan and to agree upon a mutually acceptable political solution to their dispute over Western Sahara. The resolution requested the Secretary-General to provide an assessment of the situation before the end of the mandate period.

28. Pursuant to the above-mentioned resolution, on 20 June 2001, the Secretary-General submitted a report (S/2001/613) to the Security Council, in which he informed the Council that, on 5 May 2001, his Personal Envoy had presented to the Algerian Government a draft "Framework agreement on the status of Western Sahara" (ibid., annex I), which he was confident that the Kingdom of Morocco would support. President Bouteflika had addressed letters to the Secretary-General and to his Personal Envoy along with a memorandum containing Algeria's views on the proposed framework agreement, which were attached to the report of the Secretary-General (ibid., annex II). The Security Council also had the opportunity to review, in the same report, an analysis of that memorandum prepared by the Secretariat (ibid., annex III).

29. The Council was further informed that, on 5 May 2001, the Personal Envoy had presented the proposed framework agreement to Secretary-General Mohamed Abdelaziz of the Frente POLISARIO, who had refused to discuss the proposed document because it did not include independence. Subsequently, the Frente POLISARIO had delivered letters to the Secretary-General and to his Personal Envoy along with official proposals aimed at overcoming the obstacles preventing the implementation of the settlement plan (ibid., annex IV). An analysis of the Frente POLISARIO proposals prepared by the Secretariat was also included in the Secretary-General's report (ibid., annex V).

30. The Secretary-General provided an assessment of the problems in the implementation of the settlement plan since its adoption in 1991 in paragraphs 20 to 42 of his report. While he pointed out that he had previously provided such a detailed account in his report of 17 February 2000 (S/2000/131), he reiterated that, with the exception of the ceasefire, none of the plan's main provisions had been fully implemented because of fundamental differences between the parties over its interpretation, and, in particular, because the cooperation of both parties with the United Nations was required for the plan's implementation (S/22464, para. 55). The establishment of the electorate body for the referendum had been and remained the most contentious issue and one of the main reasons for the successive deadlocks in MINURSO's work because of the difficulties in determining who, among the Saharans, were eligible to take part in the referendum. Throughout the 10 years since the United Nations had undertaken the implementation of the plan, it had tried several times to organize direct talks between the parties as it was understood that such talks were essential to the achievement of the compromises and understandings necessary for the smooth implementation of the plan. The only time that such direct talks had resulted in substantive discussions between the parties had been in 1997 when, under the auspices of the Personal Envoy of the Secretary-General, they had concluded the Houston agreements (S/1997/742).

31. The Secretary-General also recalled that after the three rounds of talks in 2000, when the parties had met again under the auspices of the Personal Envoy to come up with solutions to the problems of the plan and to try to agree upon a mutually acceptable political solution to their dispute over Western Sahara, Morocco, for the first time, had expressed the wish to engage in a direct dialogue with the Frente POLISARIO, under the auspices of the United Nations, to try to resolve the dispute.

32. Concluding his report, the Secretary-General recalled the three questions that he had asked his Personal Envoy when he had appointed him in 1997 regarding the resolution of the conflict over Western Sahara. Given the history of the United Nations involvement over the past 10 years in the search for an acceptable way to implement the settlement plan, the Personal Envoy had concluded that there were serious doubts as to whether the settlement plan could be implemented in its current form. It was equally doubtful whether adjustments to the plan would resolve the problems, since the endgame would still produce one winner and one loser. Furthermore, any substantial adjustments would require the mutual agreement of the parties and an enforcement mechanism approved by the Security Council.

33. The Secretary-General expressed the hope, shared by his Personal Envoy, that Morocco, the Frente POLISARIO, Algeria and Mauritania would agree to meet over the next five months as parties, either directly or through proximity talks, under the auspices of the Personal Envoy, to discuss with specificity the elements of the

proposed framework agreement that was aimed at reaching an early, durable and agreed resolution of the conflict over Western Sahara in a way that did not foreclose self-determination, but indeed provided for it. He stressed that the proposed framework agreement was not unlike agreements used to address similar situations elsewhere where devolution of authority to the inhabitants of a non-self-governing territory was granted with the final status to be determined by a referendum. Should the parties agree to discuss a political solution, this would not prejudice their final positions since nothing would be agreed until everything had been agreed. While the discussions on the proposed framework agreement would go on, the settlement plan would not be abandoned, but would be put on hold. Should the Personal Envoy decide to continue with the discussions about the proposed framework agreement after the five-month period in order to negotiate such changes as would make it acceptable to Morocco, the Frente POLISARIO, Algeria and Mauritania, it would be the Secretary-General's intention to recommend to the Security Council that MINURSO's mandate be extended to permit time for such negotiations. If, on the other hand, by the end of that period, the Personal Envoy should conclude that it would not be worthwhile to continue with the consultations, the Security Council could decide to review the mandate of MINURSO and consider what further role the Mission could play. For the reasons outlined in the report, the Secretary-General recommended that the mandate of MINURSO be extended for five months until 30 November 2001.

34. On 29 June 2001, the Security Council adopted resolution 1359 (2001), by which it decided to extend the mandate of MINURSO until 30 November 2001. The Council fully supported the efforts of the Secretary-General to invite all parties to meet directly or through proximity talks, under the auspices of his Personal Envoy, and encouraged them to discuss the draft framework agreement and to negotiate any specific changes they would like to see in that proposal, as well as to discuss any other proposal for a political solution that may be put forward by the parties in order to arrive at a mutually acceptable solution. The Council also affirmed that, while the discussions referred to above continued, the official proposals submitted by the Frente POLISARIO to overcome the obstacles preventing implementation of the settlement plan would be considered.

United Nations A/56/160

General Assembly

Distr.: General
3 July 2001

Original: English

Fifty-sixth session
Item 179 of the preliminary list*
Measures to eliminate international terrorism

Measures to eliminate international terrorism

Report of the Secretary-General

Contents

		Paragraphs	Page
I.	Introduction	1–6	2
II.	Measures taken at the national and international levels regarding the prevention and suppression of international terrorism and information on incidents caused by international terrorism	7–137	3
	A. Information received from Member States	7–114	3
	B. Information received from international organizations	115–137	14
III.	International legal instruments related to the prevention and suppression of international terrorism	138–140	18
	A. Status of international conventions pertaining to international terrorism	138	18
	B. Recent developments related to General Assembly resolution 51/210	139–140	28
IV.	Information on workshops and training courses on combating crimes connected with international terrorism	141–163	28
V.	Publication of a compendium of national laws and regulations regarding the prevention and suppression of international terrorism in all its forms and manifestations	164–166	31

* A/56/50.

01-44763 (E) 150801

I. Introduction

1. The present report has been prepared pursuant to General Assembly resolution 50/53 of 11 December 1995, entitled "Measures to eliminate international terrorism", in which the Assembly requested the Secretary-General to follow up closely the implementation of the Declaration on Measures to Eliminate International Terrorism (resolution 49/60, annex) and to submit an annual report on the implementation of paragraph 10 of the Declaration, taking into account the modalities set out in his report to the Assembly at its fiftieth session (A/50/372 and Add.1) and the views expressed by States in the debate of the Sixth Committee during that session.[1]

2. In paragraph 10 of the Declaration, the General Assembly requested the Secretary-General to assist in the implementation of the Declaration by taking, within existing resources, the following practical measures to enhance international cooperation:

> "(a) A collection of data on the status and implementation of existing multilateral, regional and bilateral agreements relating to international terrorism, including information on incidents caused by international terrorism and criminal prosecutions and sentencing, based on information received from the depositaries of those agreements and from Member States;
>
> "(b) A compendium of national laws and regulations regarding the prevention and suppression of international terrorism in all its forms and manifestations, based on information received from Member States;
>
> "(c) An analytical review of existing international legal instruments relating to international terrorism, in order to assist States in identifying aspects of this matter that have not been covered by such instruments and could be addressed to develop further a comprehensive legal framework of conventions dealing with international terrorism;
>
> "(d) A review of existing possibilities within the United Nations system for assisting States in organizing workshops and training courses on combating crimes connected with international terrorism."

3. By a note dated 16 January 2001, the Secretary-General drew the attention of all States to resolution 49/60 of 9 December 1994 and the Declaration annexed thereto and requested them to submit information on the implementation of the Declaration under paragraphs 10 (a) and (b) thereof by 31 May 2001. In the note, the Secretary-General also noted that in the information to be submitted by States they might wish to give particular attention to paragraph 5 of Security Council resolution 1269 (1999). By a letter dated 16 January 2001, the Secretary-General invited relevant specialized agencies and other organizations to submit information or other relevant material on the implementation of the Declaration, pursuant to its paragraphs 10 (a) and (d), by 31 May 2001.

4. As at 15 June 2001, replies had been received from the following States: Austria, Bahrain, Belarus, Burundi, Cook Islands, Denmark, El Salvador, Finland, Greece, Guatemala, Hungary, Israel, Kuwait, Mexico, Norway, Pakistan, Panama, Philippines, San Marino, Sri Lanka, Sweden, Switzerland and Syrian Arab Republic. Replies had also been received from the following bodies of the United Nations system: Office for Drug Control and Crime Prevention of the Secretariat, International Civil Aviation Organization (ICAO) and International Atomic Energy Agency (IAEA). The following intergovernmental organizations had also replied: Commonwealth of Independent States (CIS), Council of Europe, Organization for Security and Cooperation in Europe (OSCE) and Organization of American States (OAS).

5. Sections II, III and IV of the present report contain information about measures taken at the national and international levels, based on materials transmitted by Governments and the international organizations and other bodies mentioned in paragraph 4 above. Section V deals with the matter of publishing a compendium of national laws and regulations regarding the prevention and suppression of international terrorism in all its forms and manifestations.

6. With respect to subparagraph 10 (c) of the Declaration, the present report does not contain an analytical review of existing international legal instruments relating to international terrorism, since such a review was included in the report of the Secretary-General submitted to the General Assembly at its fifty-first session (A/51/336, paras. 6-36). Several suggestions for possible further action contained in that

review are being acted upon through the implementation of Assembly resolution 51/210 of 17 December 1996, as discussed in section III.B below.

II. Measures taken at the national and international levels regarding the prevention and suppression of international terrorism and information on incidents caused by international terrorism

A. Information received from Member States*

7. **Austria** indicated that no international terrorist acts had occurred since it last submitted relevant information, on 26 July 1999, and that no substantial changes or amendments had been made to its national legislation on the subject.

8. **Bahrain** reported that, in addition to the multilateral conventions on terrorism to which it was a party,[2] it had entered into other related regional agreements such as the Security Agreement between the States Members of the Gulf Cooperation Council and the Riyadh Agreement on Judicial Cooperation.

9. Bahrain condemned international terrorism. In the context of measures for the prevention and elimination of international terrorism, there was no special law in Bahrain for the suppression of terrorism, just as its Criminal Code did not contain specific provisions relating to or defining international terrorism. It could be said, however, that acts of terrorism in general were subject to the provisions of the Criminal Code.

10. During the second half of the twentieth century, international terrorism had become a dangerous phenomenon threatening international peace and security and thus also threatening the independence and sovereignty of those States which suffered directly or indirectly from it. Accordingly, the international community found itself obliged to negotiate, prepare and develop the legal instruments necessary to combat international terrorism and to do so in order to promote the stability of international peace and security as the two basic foundations for the success of the development programmes of the members of the international community in all areas of life.

11. Bahrain noted that, in addition to the efforts of the United Nations in the field of terrorism, the Movement of Non-Aligned Countries had expressed support for the convening of an international conference under the auspices of the United Nations to unite international efforts and coordinate the positions of States with a view to the suppression and elimination of terrorism.

12. Stress should be placed on the importance of developing an agreed legal definition of international terrorism, inasmuch as the lack of such a legal definition of the term could create a dangerous situation where there was confusion between criminal actions of a terrorist nature whose victims were innocent men, women and children and the actions of national liberation movements whose objective, first and last, was the right of self-determination and of legitimate armed resistance to foreign occupation.

13. **Belarus** provided information on the multilateral instruments relating to international terrorism to which it was a party,[2] and also drew attention to its Agreement with Germany concerning Cooperation in the Fight against Organized Crime, Terrorism and Other Dangerous Criminal Acts, of 4 April 1995; its Memorandum of Understanding with the United Kingdom of Great Britain and Northern Ireland concerning Cooperation in the Fight against Illicit Trafficking in Narcotic Drugs, Organized Crime and International Terrorism, of 13 March 1995; and its Agreement with Turkey concerning Cooperation in the Fight against International Organized Crime, International Trafficking in Narcotic Drugs and International Terrorism, of 24 July 1996.

14. Furthermore, Belarus indicated that it had recently taken a number of measures with a view to becoming a party to the new international agreements for the suppression of terrorism and other crimes adopted within the framework of the United Nations: it had ratified the International Convention for the Suppression of Terrorist Bombings (resolution 52/164, annex); and it had signed the United Nations Convention against Transnational Organized Crime and its Protocols to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and against the Smuggling of Migrants by

* Information on the participation of States in multilateral agreements relating to the suppression of international terrorism is presented separately in sect. III.A.

Land, Sea and Air (resolution 55/25, annexes I-III, respectively). In 2001, Belarus planned to sign the International Convention for the Suppression of the Financing of Terrorism (resolution 54/109, annex).

15. The national laws of Belarus also contained provisions relating to the suppression of terrorism. The decree of the President of the Republic of Belarus of 21 October 1997 on urgent measures to combat terrorism and other particularly dangerous violent crimes had been adopted with a view to protecting the lives, health and property interests of citizens, creating conditions for the effective functioning of state authority in the country and ensuring public safety and state security. Pursuant to that decree, a system of urgent measures to combat terrorism and other particularly dangerous crimes had been put in place.

16. The criminal laws currently in force in Belarus provided for criminal prosecution for the commission of acts of international terrorism, which was a crime against peace and human security. Thus, article 124 of the Criminal Code of Belarus provided for criminal prosecution for the commission of terrorist acts against representatives of foreign States. Such crimes were defined as: (a) acts of violence against representatives of foreign States or international organizations and kidnapping or holding of such persons against their will for the purpose of provoking international tension or hostilities, punishable by deprivation of liberty for a period of 5 to 15 years; and (b) murder of a representative of a foreign State or international organization for the purpose of provoking international tension or hostilities, punishable by deprivation of liberty for a period of 10 to 25 years, life imprisonment or the death penalty.

17. Article 125 of the Criminal Code provided for criminal prosecution for attacks on institutions enjoying international protection. Such crimes were defined as (a) attacks on the offices or living quarters of institutions enjoying international protection or on the means of transport of such institutions for the purpose of provoking international tension or hostilities, punishable by restriction of liberty for a period of three to five years or deprivation of liberty for a period of three to seven years; and (b) any of the aforementioned acts resulting in negligent manslaughter or serious physical injury, or involving the deliberate destruction of property or important documents, punishable by deprivation of liberty for a period of 3 to 12 years.

18. In accordance with article 126 of the Criminal Code, international terrorism, which was defined as organizing the carrying out or the carrying out of explosions, arson or other acts in the territory of a foreign State with a view to causing loss of life or physical injury, destroying or damaging buildings, installations, means of transport, means of communication or other property for the purpose of provoking international tension or hostilities or destabilizing the internal situation in a foreign State, or murdering or causing physical injury to a political or public figure of a foreign State or damaging property belonging to such persons for the same purpose, was punishable by deprivation of liberty for a period of 10 to 25 years, life imprisonment or the death penalty.

19. Finally, it was noted that there had been no reported incidents of international terrorism in the territory of Belarus.

20. **Burundi** provided information on the multilateral instruments relating to international terrorism to which it is a party.[2]

21. The **Cook Islands** provided a copy of the Crimes (Internationally Protected Persons and Hostages) Act of 1982[3] which gave effect to the Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, including Diplomatic Agents, and to the International Convention against the Taking of Hostages, and for matters incidental to the implementation of those conventions.

22. **Denmark** provided information on the multilateral conventions and protocols relating to international terrorism to which it is a party[2] and also indicated that ratification of the International Convention for the Suppression of Terrorist Bombings was under consideration. In addition, it was stated that no acts of terrorism had taken place on Danish territory during the year 2000.

23. **El Salvador** provided the text of relevant provisions of its Penal Code and recent amendments thereto.[3]

24. **Finland** indicated that it had no information to provide other than what was reflected in the prior report of the Secretary-General on the topic.

25. **Greece** supplied information concerning the anti-terrorism conventions to which it is a party.[2] It indicated that the provisions of articles 42 et seq., 46 et seq., 167, 185-187, 189, 190, 192, 195, 264 et seq.,

299, 310, 311, 322, 324 and 325 of the Penal Code, and Act 2168/93 concerning weapons, ammunition, explosives fully secured the criminal prosecution and punishment of the persons responsible for terrorist acts. Moreover, with a series of other laws, the Greek State cared for the moral and material support of the victims of terrorist acts and their families. Such care consisted mainly of special retirement of the victims of terrorism and their families and recognition of the right of the victims to be compensated by the State for material damage they had sustained because or by reason of a terrorist act. The laws containing the above provisions were as follows: Act 1897/90, concerning the granting of pension and the provision of assistance to victims of terrorism, etc. (arts. 1-11); Act 1947/91 (art. 40); Act 1976/91, on substitution and addition to provisions of pension legislation (art. 22); Act 1977/92, on protection of victims of violent incidents and victims of terrorists (arts. 1-3); Act 2042/92, on increase of pensions and other insurance provisions (art. 12); and Act 2093/92 (art. 18).

26. Reference was also made to Act 1688/87, which ratified the Greek-Italian agreement on the fight against terrorism, organized crime and drug smuggling, and to Act 2514/97, which ratified the Schengen application Convention, articles 77-91 of which refer to the possession, acquisition, dealing and trafficking in general of firearms and ammunition by individuals or legal entities on the territory of the contracting parties of the European Union (EU).

27. Finally Greece indicated that a draft law to deal with specific issues of organized crime and terrorist acts was under consideration.

28. **Guatemala** provided the text of relevant provisions of its Penal Code.[3] Furthermore, Guatemala stated that the legal principle of public order corresponded to the normal situation of the rule of law in which the authorities exercised their functions and the citizens respected and obeyed them.

29. The Constitution of Guatemala, which took precedence over the law, established that it was the obligation of the State and the authorities to ensure for the inhabitants of the nation the full enjoyment of the rights that the Constitution guaranteed.

30. In keeping with public order in Guatemala, acts carried out with the objective of attacking state security, territorial integrity, national unity or institutional order were punished as a measure to curb the threat that terrorist activities represented to international peace and security.

31. Specifically, the Penal Code contained in Congressional Decree No. 17-73 defined the crime of terrorism in chapter IV (Crimes against public order) of title XII (Crimes against the institutional order).

32. Guatemala recalled that it was a party to the OAS Convention to Prevent and Punish the Acts of Terrorism Taking the Forms of Crimes against Persons and Related Extortion that are of International Significance.

33. In order to apply that Convention more effectively, Guatemala had established, by Agreement No. 6-98 of the Council of the Public Prosecutor's Office, a prosecuting office to combat organized crime, which investigated crimes committed systematically, both those with high social impact and those committed by organized gangs.

34. The prosecuting office consisted of the following units: (a) kidnapping and extortion unit; (b) car theft unit; (c) unit for crimes relating to banks, insurance companies and other financial institutions; (d) unit to combat trafficking in persons and the exploitation and prostitution of minors; and (e) other units whose title and functions would be determined by the Attorney-General of the Republic and Head of the Public Prosecutor's Office.

35. Finally, although indirectly related to the prevention of terrorism, the Weapons and Munitions Act (Congressional Decree No. 39-98) had established the Department of Weapons and Munitions Control as a branch of the Ministry of Defence. Its functions included recording and monitoring the possession of weapons, which was a right granted under the Constitution of Guatemala.

36. **Hungary** stated that it attached great importance to the prevention and suppression of terrorism and that, consequently, it had continued to participate actively in the efforts of the United Nations in that field. Furthermore, the Hungarian Parliament was expected to ratify the International Convention for the Suppression of Terrorist Bombings in the near future and, in due course, Hungary would sign the International Convention for the Suppression of the Financing of Terrorism.

37. **Israel** stated that it condemned in the strongest possible terms all forms and manifestations of

international terrorism, whatever its motivations. It considered the resort to terrorism for political ends fundamentally opposed to the Charter of the United Nations and to established principles of international law and remained resolutely committed to the maintenance of international peace and security and to the resolution of disputes solely by peaceful means.

38. Unfortunately, Israel continued to be a frequent victim of international terrorism. A variety of terrorist groups, benefiting from the substantial support and encouragement of certain Member States, consistently targeted Israeli civilians in a relentless and vicious terrorist campaign.[4] As a result of its unfortunate experience, Israel had come to appreciate the special importance of combating all forms of terrorism in a comprehensive and uncompromising manner. Accordingly, it had emphasized the importance of a unified, global and unrelenting approach to the fight against terrorism, whatever its pretext, both in United Nations forums and in ongoing multilateral and bilateral dialogues with other States.

39. Israel placed high priority on the adoption and enforcement of legal mechanisms to effectively prevent and suppress terrorism and its support structure. With respect to national legislation, terrorism was dealt with primarily under general criminal and procedural provisions of the Penal Law (1977), as amended. Those laws were supplemented by specific anti-terrorism legislation, including, in particular, the Prevention of Terrorism Ordinance (1948).[3] The Ordinance made it a criminal offence, inter alia, to be a member of a "terrorist organization", as defined in the Ordinance (art. 1), including participation in its activities, publishing propaganda in favour of the organization or its activities or collecting moneys or articles for its benefit. The Ordinance also allowed for the confiscation of the property of such a terrorist organization by order of a District Court and the closing of any place serving a terrorist organization.

40. Additional laws and regulations, while not directly concerned with combating terrorism, included provisions that revealed the gravity with which the legislature viewed terrorist offences. Examples of such legislation included the Prohibition of Money Laundering Law (2000), which provided, as an exceptional measure, that authorities might convey classified information stored in data banks to authorized security officials for the purpose of investigating the activities of terrorist organizations; the Prohibition of Erecting Memorials to the Perpetrators of Terrorist Acts Law (1998), which prohibited the construction of any kind of memorial to terrorists; and the Criminal Record Law (1981), which included a provision according to which offences under the Prevention of Terrorism Ordinance were not to be erased from an individual's criminal record.

41. **Kuwait** provided information on the multilateral conventions and protocols relating to international terrorism to which it is a party.[2] Furthermore, Kuwait affirmed that terrorism, whatever form it might take and whatever its source might be, was to be regarded as a heinous crime against humanity and a violation of human rights.

42. Although mankind had had experience of the phenomenon since times long past, that of the past four decades had surpassed everything that could have been expected. In that time, the phenomenon had crossed regional boundaries, acquired an international character and spread to all parts of the world, bringing with it grave consequences that threatened the very foundations on which friendly relations between States were based as well as other negative manifestations.

43. On all occasions and in numerous international forums, Kuwait had adopted a position that rejected the phenomenon. It had called for the achievement of the closest possible international cooperation in its suppression and the elimination of its consequences and in safeguarding a person's entitlement to the full enjoyment of his rights and freedoms, and most importantly the right to life, liberty and personal safety.

44. In that connection, Kuwait had been the victim of vicious terrorist incidents such as the seizure of its aircraft and the infliction of all manner of extreme suffering on innocent passengers, some of whom had been physically liquidated. Installations, infrastructure and the property of private individuals in Kuwait had likewise been destroyed by bombings.

45. The acts of terrorism to which Kuwait had been subjected reached their peak with the criminal assassination attempt against the person of its head of State and the country's Amir, Sheikh Jaber Al-Ahmad Al-Jaber Al-Sabah, in 1985.

46. Despite the despicable character of those and the other acts of terrorism inflicted on Kuwait in the period prior to the brutal Iraqi invasion, which had sought to undermine its position of rejecting terrorism and

forcing it to accept the demands of terrorists, Kuwait had nevertheless withstood those attempts and proved to the entire world that terrorism could be confronted by rejecting such attempts and opposing them resolutely and at whatever sacrifice.

47. The foregoing represented one facet of the terrorist incidents perpetrated against Kuwait. The greatest terrorist crime ever committed against it, however, was the Iraqi regime's invasion of Kuwait on 2 August 1990 and its occupation of its territory for more than seven months. During that time, the regime's servants committed many and various terrorist crimes, such as acts of murder and torture, arbitrary detention and the infliction of all manner of serious harm on individuals. Both citizens and residents were subjected to those horrific violations of human rights, which went beyond all limits when that regime committed the greatest crime of environmental terrorism ever known in the history of mankind. It proceeded to pollute the marine environment by pumping huge quantities of oil into the sea, thereby inflicting harm both on man and on living maritime resources. It then compounded its crimes by setting fire to Kuwait's oil wells, which caused enormous environmental pollution whose harmful effects on health were still being felt by many inhabitants.

48. Kuwait stated that, sad to say, despite the fact that it had been 10 years since its forces had been defeated and driven from Kuwait, the Iraqi regime still persisted in its terrorist conduct. The impact of its aggression was still being felt, and one of its heinous and painful consequences was that the regime was continuing to hold more than 600 Kuwaiti citizens as prisoners and hostages and for use for purposes of blackmail without regard for all the humanitarian efforts that had been made at every international and other level in order to end a human tragedy to which that regime had paid no heed.

49. Kuwait valued the efforts being made at the international and regional levels to combat terrorism, and for its part it would not hesitate to take legal and practical measures to halt the phenomenon. It participated, for example, in relevant international agreements, it supported regional efforts being made to contain terrorism and, at the domestic level, it was developing the relevant executive and administrative systems and agencies.

50. Kuwait had made a point of acceding to the international conventions for the suppression of terrorism, both those relating to the safety of aviation and those applying to individuals.

51. It was also noted that the resolutions of the Organization of the Islamic Conference (OIC) and, in particular, those adopted by the Islamic Summit Conferences, on combating international terrorism in all its forms had been sponsored by Kuwait.

52. In connection with its national laws and legislative enactments, Kuwait had taken a series of practical and executive measures that accorded with the most up-to-date ways and means of addressing the problem. Perhaps the most important measure to which reference could be made was Law No. 6/1994, on offences relating to the safety of aircraft and aerial navigation. Kuwait had also established a number of specialized agencies for the purpose.

53. Kuwait reaffirmed that it would continue its efforts at all levels and that it remained ready to cooperate with the international community for the elimination of terrorism in all its forms.

54. **Mexico** provided information on the multilateral conventions and protocols relating to international terrorism to which it is a party.[2] In addition Mexico indicated it had a bilateral agreement with Cuba of 7 June 1973 on the unlawful seizure of aircraft and vessels and other offences.

55. In addition, Mexico provided the text of relevant provisions of its domestic legislation in relation to terrorism.[3]

56. **Norway** indicated that it stated that it had no specific legislation regarding suppression of terrorism, but that the general criminal law (Civil Penal Code of 22 May 1902 No. 10) included provisions that covered the various types of terrorist acts dealt with by the different anti-terrorism conventions to which Norway was a party.

57. Provisions for extradition of a person who was charged, accused or sentenced by a foreign State for a punishable act were provided for in the Extradition Act of 13 June 1975 No. 39. One of the provisions in that Act had been altered in connection with Norway's ratification of the International Convention for the Suppression of Terrorist Bombings in order to make it clear that acts covered by such international conventions could not be considered political crimes,

as the act did not allow for extradition for crimes of that nature.

58. Norwegian authorities were currently engaged in a process to evaluate what internal legislative measures were necessary in order to be able to sign and ratify the International Convention for the Suppression of the Financing of Terrorism.

59. **Pakistan** supplied information regarding the multilateral anti-terrorism conventions to which it is a party.[2]

60. In addition, Pakistan reiterated its condemnation of terrorism in all its forms and manifestations. Pakistan also condemned State terrorism, which it considered the most ignoble form of terrorism. It condemned terrorist activities whether perpetrated by individuals, groups or States resulting in violence or the threat of violence against innocent people, irrespective of the motivation involved.

61. Pakistan had been in the forefront of international efforts to combat terrorism. It shared the concerns of the international community on the alarming increase in acts of terrorism all around the world and had fully supported measures at the international legal level to prevent terrorism.

62. Pakistan believed that the absence of a universally acceptable definition of terrorism had seriously hampered concerted international efforts to tackle that grave threat to human society. A comprehensive legal definition of terrorism should not only draw a clear distinction between terrorism and people's legitimate struggle for the right of self-determination, but must also take into account all forms of terrorism, including State-sponsored terrorism. Pakistan expected that the ongoing negotiations on the draft comprehensive convention on international terrorism would be able to resolve that long outstanding demand of the international community.

63. Terrorism posed a serious threat to international peace and security. All countries, irrespective of their size and influence, were directly affected by the phenomenon. Pakistan had also been a victim of acts of international terrorism and had suffered grievously from cross-border State-sponsored terrorism by a neighbouring State in flagrant violation of international law, norms and practices. During the reporting period, numerous acts of foreign-sponsored terrorism had been carried out, resulting in the death of a large number of innocent people and extensive destruction of public and private property.[5]

64. **Panama** stated that the fact of committing, organizing, ordering, financing, encouraging, instigating or tolerating acts of violence directed against persons or their property, creating a state of terror (dread or fear) in the minds of leaders, groups of persons or the general public with a view to compelling them to concede certain advantages or act in a given way constituted an act of terrorism.

65. In more recent times there had been an increase in a new form defined as narco-terrorism. That type of terrorism was more difficult to combat because the area of its activity recognized no borders and the groups engaging in it were present in all countries of the Americas.

66. Another of the situations relating to terrorism was the presence of members of terrorist groups from Europe and the Middle East on the American continent. Those groups used the continent as a refuge, thus evading justice as a result of the absence of legal instruments that would permit their extradition.

67. Within the framework of OAS, terrorism was recognized as a systematic and deliberate violation of the rights of individuals and an assault on democracy itself. To combat terrorism, the States members of OAS had drawn up a Plan of Action on Hemispheric Cooperation, the main objective of which was to fulfil the objectives of the Declaration of Lima to Prevent, Combat and Eliminate Terrorism.

68. Cases of terrorism had occurred sporadically in Panama and had generally been related to drug-trafficking. Reports from the State security organs indicated that there had been cases of attacks on fishing boats in the territorial waters and contiguous zone and those attacks were suspected of being associated with the shipment of drugs. In Panama's airspace, the most recent event was the attack on an aircraft of the ALAS company, in which all on board, including the crew, had been killed. It was important to emphasize that recent years had been characterized by murders of and attacks on individuals who were presumed to have been associated with drug-trafficking.

69. Another of the problems Panama had to face was arms-trafficking, given that the country, as a busy

trading location and port of call in world transport, was used by many criminal groups for arms distribution.

70. Panama supported all the efforts under way to eliminate and prevent terrorism. Accordingly it participated in the specialized regional meetings on the subject and was acceding to the international conventions on terrorism.

71. Panama also recognized the need to create legal instruments at the regional level that would make it possible to combat and prevent terrorism and above all to encourage cooperation among countries.

72. At the national level, the State security organs were addressing their efforts to conducting the following activities:

(a) Register of incidents involving undocumented individuals;

(b) Register of incidents such as murders and drug- and arms-trafficking;

(c) Register of weapons seized;

(d) Register of suspects possessing explosives, military-type weapons and so on;

(e) Exchange of statistical information with countries such as Colombia, Costa Rica, the Dominican Republic and Venezuela, and in the future with Spain;

(f) Exchange of information on suspects between countries and international organizations to assist in expanding preliminary investigations of the individuals involved in a case;

(g) Continuous patrolling throughout the national territory;

(h) Participation in international courses and conferences on terrorism and security;

(i) Conduct of joint operations and bilateral meetings through strengthened mechanisms for communication between countries.

73. Given the nature of current terrorism, such activities were insufficient, and accordingly Panama had taken the following additional measures:

(a) Investigating and seizing property and funds of individuals assisting narco-terrorist organizations;

(b) Permitting the use of information from banking institutions;

(c) Providing more support for the border police, in terms both of equipment and armament and of personnel;

(d) Providing support for the national organs responsible for handling classified information;

(e) By article 25 of Act No. 31 of 28 May 1998 on protection of crime victims, adding to article 2508 of the Judicial Code article 2508-A, reading as follows:

> "*Article 2508-A*. For reasons of public order and social interest and as an exceptional measure, extradition or simple and conditional handing over of a foreigner to the requesting State by the Executive may be approved, notwithstanding the conduct of proceedings or the serving of a sentence in Panama, subject to an undertaking that, once the legal proceedings for which he was requested are over or when he has been tried in the requesting State, whether he is found innocent or guilty, and in the latter case when the sentence has been served, he will be returned to Panama to serve the appropriate sentence, if appropriate, or to continue the court proceedings if they are pending. In any event, the court proceedings under way in Panama shall continue in the absence of the accused person who has been handed over or extradited, all guarantees of legal representation being provided."

74. Even with all of the above measures, Panama recognized the need for the progressive establishment of new legal mechanisms that would enable the judicial and security institutions to counter narco-terrorism with broad coverage and provide those agencies with special teams capable of communicating with all the countries of the hemisphere.

75. Finally, Panama listed the national agencies involved in its anti-terrorism efforts:

(a) The *Security Council*, through all the public security agencies, namely:

(i) *Technical Judicial Police*: preliminary investigation of crime and intelligence service;

(ii) *National Police*: intelligence service, prevention and tactical operation;

(iii) *National Air Service*: logistic support and mobilization;

(iv) *National Maritime Service*: logistic support and mobilization;

(v) *Institutional Protection Service*: intelligence service and tactical operations;

(b) *Office of the Attorney-General*: pre-trial proceedings;

(c) *Judicial body*: court proceedings.

76. **The Philippines** supplied the following information on its anti-terrorism efforts:

(a) Memorandum Order No. 121 of 31 October 2000, updated the policy of the Government of the Philippines on terrorism, in particular on hostage-taking situations;

(b) The Philippine "Crisis Management Manual" was updated on 15 November 2000. The Manual deals with preventive to reactive contingency measures that are to be adapted in deterring or dealing with all forms of crisis deleterious to the country's security and stability, including international terrorism;

(c) A Philippine "Hostage Negotiation Manual" was drafted to provide procedures, tactics and techniques in hostage negotiations specifically applied to hostage-barricade incidents;

(d) Philippine government officials and members of the academic community hosted and participated in the Seventh Meeting of the Council for Security Cooperation in the Asia-Pacific Working Group on Transnational Crime, held in Manila from 31 May to 1 June 2000.

77. **San Marino** indicated that it had not adopted any specific legislation on the fight against international terrorism but, with that objective in mind, it had signed and ratified precise international and bilateral agreements. Furthermore, its penal code dealt with cooperation among States in the field of criminal law. Through those agreements, San Marino guaranteed, bilaterally, extradition at the request of another contracting party or the enforcement of a judgement already passed by the authority of another party for one of the offences for which extradition was admitted.

78. Together with extradition, other agreements subscribed to by San Marino dealt with other forms of cooperation that lead to international rogatory letters. The latter were among the most effective instruments — although not the only ones — for use against terrorism. Judiciary assistance through the execution of international rogatory letters had a very wide field of action because it could include the search for people, the presentation of acts or important documents in order to help investigations carried out by the requesting State, investigations themselves, requests, searches and confiscations of goods, examination of witnesses, of people informed about the facts and of consultants, or their transfer before a competent authority of the requesting State that will proceed in such a case directly.

79. In addition, San Marino had signed and ratified the Rome Statute of the International Criminal Court, which contemplated the hypothesis of crimes that could be qualified as relating to international terrorism.

80. **Sri Lanka** provided information on the multilateral conventions and protocols relating to international terrorism to which it is a party,[2] as well as copies of its domestic legislation in relation to international terrorism and terrorism in general.[3] In addition, Sri Lanka included a list of terrorist atrocities committed during the period from July 1975 to January 2001.[3]

81. Sri Lanka stressed that, as a democratic country, committed to ensuring peace and security among all States, it condemned all forms and manifestations of international terrorism. Sri Lanka had fully supported all multilateral and regional efforts aimed at eliminating international terrorism.

82. It was emphasized that Sri Lanka had been subjected to the most brutal and violent terrorist attacks, which included the killing of innocent men, women and children by the Liberation Tigers of Tamil Eelam (LTTE), one of the most dangerous terrorist groups operating in the world.

83. The LTTE, in violation of all norms of international law, was engaged in conscripting child soldiers to fight against the Government of Sri Lanka. While that group claimed to be the sole representatives of the aspirations of the Tamil people of Sri Lanka, they had assassinated a large number of leaders of the Tamil people, leaders who adhered to the democratic political fabric of the country and were deeply loved and respected by the Tamil community. While the leader of the LTTE had been indicted by India for the killing of its late President, Rajiv Gandhi, the LTTE was also responsible for the attempted assassination of the President of Sri Lanka in December 1999. A

warrant of arrest had been issued by the International Police Organization (Interpol) against the leader of that international terrorist organization, Velluppillai Prabhakaran.

84. Sri Lanka noted that it had participated actively in the drafting of all declarations and conventions on the elimination of terrorism and that it had also enacted domestic legislation to give effect to its international obligations in terms of the conventions it had subscribed to. The United Nations Ad Hoc Committee established by the General Assembly in its resolution 51/210, currently chaired by Sri Lanka, was actively engaged in negotiating a draft comprehensive convention against international terrorism.

85. Furthermore Sri Lanka had also taken the initiative at the regional level to formulate a legal regime to combat terrorism. The Regional Convention on Suppression of Terrorism, adopted by the South Asian Association for Regional Cooperation (SAARC), was ratified by Sri Lanka in 1988 and enabling legislation for the Convention was enacted with the SAARC Regional Convention on Suppression of Terrorism Act No. 70 of 1988.

86. At the bilateral level, Sri Lanka was engaged with a number of countries in efforts to deal effectively with all terrorist activities, with particular focus on fund raising. Sri Lanka was in the process of negotiating several bilateral agreements dealing with terrorism as well as with drug-trafficking and arms and human smuggling. Sri Lanka had also sought the proscription of expatriate Sri Lanka terrorist groups and their front organizations that operated on foreign soil.

87. **Sweden** indicated that no terrorist acts had been committed during the past year, that it had no specific legislation against terrorism and that the process of ratification of the International Convention for the Suppression of Terrorist Bombings was still under way.

88. **Switzerland** provided the text of relevant provisions of its domestic legislation in relation to terrorism, which include:

(a) Citations from the Swiss Penal Code (RS 311.0);

(b) Control of Goods Act (RS 946.202);

(c) War Materials Act (RS 514.51);

(d) Act establishing measures for the maintenance of internal security (RS 351.1).

89. Furthermore, it was stressed that combating international terrorism had long been a principal concern of Switzerland, which deployed all possible means to ban propaganda on behalf of terrorists groups or action, and to prevent their receiving financial or logistic support. Switzerland took action with respect to both prevention and punishment.

90. The Federal Act of 21 March 1997 instituting measures for the maintenance of internal security made it mandatory to adopt preventive measures to combat terrorism (art. 2). The Federal Office of the Police comprised a Division for analysis and prevention the purpose of which was to perform tasks related to the preventive protection of the State, in particular to identify the threat represented by terrorism.

91. Switzerland took punitive measures against terrorism, in particular in its capacity as a party to several related international instruments.[2] It was also taking an active part in the elaboration of the comprehensive convention on international terrorism and intended to participate in any work concerning future instruments on that subject.

92. In addition to the specific multilateral and regional instruments against terrorism by which it was bound, Switzerland was a party to a network of bilateral treaties — for example, on judicial cooperation and extradition — which promoted the prevention and control of crime in all its forms, including terrorism.

93. In the absence of a specific law on the suppression of terrorist acts, there were a number of national laws which allowed for the active suppression of terrorism.

94. The Swiss Criminal Code enabled Switzerland to take effective action against terrorism in its territory and to fulfil its international commitments. It contained no specific provision relating to terrorism. However, the following provisions were applicable, in particular, to terrorist acts:

(a) Crime against life, particularly murder and assassination (arts. 111 and 112);

(b) Grievous bodily harm (art. 122);

(c) Aggravated robbery (art. 140);

(d) Damage to property (art. 144);

(e) Damage to data (art. 144 bis);

(f) Extortion and blackmail (art. 156);

(g) Threats (art. 180);

(h) Coercion (art. 181);

(i) False imprisonment and abduction (arts. 183 and 184);

(j) Hostage-taking (art. 185);

(k) Fire-raising (art. 221);

(l) Explosion (art. 223);

(m) Use for criminal purposes of explosives or toxic gases (art. 224);

(n) Manufacture, concealment and transport of explosives or toxic gases (art. 226);

(o) Flooding, structural collapse (art. 227);

(p) Damage to electrical installations, water control structures and defensive works (art. 228);

(q) Spreading of disease to people (art. 231);

(r) Impeding traffic on the public highway (art. 237);

(s) Impeding the railway service (art. 238);

(t) Threats causing public alarm (art. 258);

(u) Public incitement to crime or violence (art. 259);

(v) Criminal organization (art. 260 ter);

(w) Endangering public safety by means of weapons (art. 260 quater);

(x) Attempts against the independence and security of Switzerland (arts. 265-266 bis and 275 ter);

(y) Money-laundering (art. 305 bis).

95. All those offences were punishable by confinement or imprisonment. Severe penalties were specified, in particular, where a terrorist act endangered the life and physical integrity of several people or caused major damage.

96. The instigation of and complicity in the commission of such offences, as well as attempted offences were also punishable. Since the adoption on 1 October 1982 of article 260 bis of the Swiss Criminal Code, acts committed in preparation for a crime were also punishable where a person had taken specific steps, with premeditation, of a technical or organizational kind, the nature and scope of which indicated that such person was preparing to commit certain particularly serious offences against life and physical integrity, aggravated robbery, unlawful imprisonment, abduction, taking of hostages or other serious crimes. That provision of the criminal law was adopted because of an increased terrorist threat in the 1960s and it specified terms of imprisonment of up to five years.

97. Moreover, other federal laws also contained penal provisions. Laws on warfare equipment and on the control of property regulated in particular the export and transit of dual-use goods. The federal law on money-laundering also served indirectly for the suppression of terrorism. It regulated measures to combat money-laundering within the meaning of article 305 bis of the Criminal Code, already mentioned above, and the obligation of due diligence on the part of financial intermediaries.

98. Switzerland also displayed international solidarity through specific and modern legislation on international mutual assistance in criminal matters (EIMP). That legal framework promoted wide-ranging and effective cooperation with respect to mutual assistance in judicial matters and extradition and, in particular, made possible cooperation with States with which Switzerland was not linked by a related international instrument (EIMP, art. 1, para. 1). Consequently, Switzerland did not depend, in the fight against acts of terrorism, on the existence of an international agreement in order to be able to cooperate.

99. Furthermore, in line with the principles already set forth in the European Convention on the Suppression of Terrorism (arts. 1 and 2 of that instrument), the Act on international mutual assistance in criminal matters (EIMP, art. 3, para. 2) provided above all that a challenge to receivability was not allowable on grounds of the political nature of an act which appeared particularly reprehensible because its author, for purposes of extortion or coercion, had endangered or threatened to endanger the liberty, life or physical integrity of persons, in particular by the hijacking of an aircraft, the taking of hostages or the use of means of mass extermination.

100. Proceedings could be instituted in Switzerland not only if the terrorist act occurred in Swiss territory but also if a Swiss national took part in a terrorist act

abroad or was the victim of a terrorist attack abroad. Switzerland could, however, initiate criminal proceedings where a terrorist act was committed abroad and where neither the author nor the victim was Swiss. It was authorized to do so provided that it was a party to an international convention making proceedings obligatory, that the act was also punishable in the place where it was committed, that the author was in Switzerland and that he could not be extradited abroad.

101. Terrorist acts, as described in the eight United Nations conventions and the two protocols on the subject which Switzerland had ratified, were regulated by the provisions of the Swiss Criminal Code. Consequently, in the framework of the international instruments to which it was a party (in particular the International Covenant on Civil and Political Rights of 16 December 1966) and of its domestic law, Switzerland rendered effective judicial cooperation. Collaboration in such cases showed the firm resolve of Switzerland to cooperate actively. The attack on a United States aircraft over Lockerbie (United Kingdom) on 21 December 1988 and the assassination in France in 1991 of the head of the Iranian opposition, Shahpour Bakhtiar, might be mentioned as examples illustrating Switzerland's wish to cooperate actively. In the case of Lockerbie, a large volume of documentation containing information and evidence had been transmitted to the requesting State. In the Bakhtiar case, the authors had been arrested in Switzerland and extradited to France.

102. The **Syrian Arab Republic** supplied information regarding the multilateral anti-terrorism conventions to which it is a party.[2]

103. In its reply the Syrian Arab Republic reaffirmed its condemnation of terrorism in all its forms and manifestations, whether the terrorism of individuals, groups or States, as involving criminal acts that targeted the lives and property of the innocent and violated state sovereignty, territorial integrity and infrastructure.

104. The Syrian Arab Republic affirmed once again that it was essential to distinguish between terrorism, which was to be condemned, and acts of legitimate resistance and national struggle against foreign occupation. For the sake of freedom, international law and the Charter of the United Nations had guaranteed that legitimate right to all peoples under foreign occupation and foreign domination.

105. The Syrian Arab Republic had been among the first to call for the convening of an international conference to define terrorism, examine its causes and differentiate between it and the struggle of peoples for freedom from foreign occupation. At the Twelfth Conference of Heads of State or Government of the Non-Aligned Countries, held in Durban, South Africa, from 29 August to 3 September 1998, the Movement of Non-Aligned Countries had supported that call and endorsed it as a key initiative of the Movement. That initiative had been followed by a number of others that had been affirmed at subsequent ministerial meetings and most recently at the Thirteenth Ministerial Conference of the Movement of Non-Aligned Countries, held in Cartagena, Colombia, on 8 and 9 April 2000. The Conference had reiterated the collective position of the Movement on terrorism and had reaffirmed the need to convene an international conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations. The item had also been included in the agenda of the Ad Hoc Committee established by the General Assembly in its resolution 51/210.

106. The Syrian Arab Republic had been committed to the convening of a conference that the General Assembly deemed to be essential in its resolution 54/110 of 9 December 1999, a view that it had reaffirmed in paragraph 13 of its resolution 55/158 of 12 December 2000.

107. The provisions of the international conventions on terrorism to which the Syrian Arab Republic has acceded and by which it was bound had become law and provided the country with the legal foundation for combating terrorism at the international level. At the national level, the Syrian Penal Code (Legislative Decree No. 148 of 22 June 1949, as amended) contained a number of articles that outlawed terrorism and penalized its perpetrators.[3]

108. It was reported that Syrian criminal legislation had endeavoured to provide for, prosecute and combat the commission of terrorist offences. The Penal Code provided the harshest penalties with a view to safeguarding the security and safety of citizens and public order in the country and protecting public and private institutions from sabotage.

109. The Syrian Arab Republic had also concluded many bilateral agreements and protocols with various countries on cooperation in security-related fields, the exchange of information, the suppression of terrorism and the extradition of offenders.

110. The Syrian Arab Republic had made a major effort to participate in the work undertaken by the General Assembly in years past to develop new international conventions to combat international terrorism. The Syrian Arab Republic maintained its diligent participation in the ongoing work on a comprehensive convention to combat international terrorism that would fill the gaps left by past conventions and would provide a clear definition of terrorist acts to be prosecuted and criminalized that left no room for doubt and differentiated such acts from legitimate acts of resistance to foreign occupation in accordance with the many relevant resolutions of the General Assembly, including resolutions 42/159 of 7 December 1987 and 46/51 of 9 December 1991, and with international law and the Charter of the United Nations.

111. The Syrian Arab Republic persisted in hoping that the work on the development of the convention would end the problem of defining terrorism, given that the more specialized international conventions of the past had been devoid of such a definition because of the lack of any genuine political will to resolve the issue.

112. The Syrian Arab Republic was of the view that the solution lay in the adoption of the definition contained in the relevant convention of OIC, which it had submitted as an official proposal to the Ad Hoc Committee established by the General Assembly in its resolution 51/210. It would thus be possible to eliminate the ambiguity that was deliberately intended to create confusion between what constituted terrorism and what was a legitimate act. The series of international and regional conventions to combat terrorism would then culminate in a comprehensive convention that met with general consensus and enjoyed universal implementation and support.

113. For years past the Syrian Arab Republic had been suffering, as it continued to suffer at the present moment, from the State terrorism practised by Israel. Israel was occupying the Syrian Golan, which was an integral part of the territory of Syria and was dear to all citizens of the country. The Syrian citizens languishing under the occupation endured the harshest kinds of oppression, coercion and intimidation as well as all forms of terrorism and barbaric treatment in violation of international legitimacy and international law. Occupation was indeed the most heinous form of terrorism.

114. The State terrorism in which Israel engaged against the peoples of the region and its failure to comply with the relevant United Nations resolutions, especially Security Council resolutions 242 (1967) and 338 (1973), which required it to withdraw from the Arab territories it was occupying to the line of 4 June 1967, were indeed to be regarded as in flagrant violation of the principles of international law and the Charter of the United Nations.

B. Information received from international organizations

1. United Nations system

115. The **United Nations Office for Drug Control and Crime Prevention of the Secretariat** indicated that the Terrorism Prevention Branch of the Centre for International Crime Prevention maintained and updated daily two electronic databases relevant to terrorism. One database contained information on terrorist incidents, while the other contained information on counter-terrorist measures. Both databases were derived from open sources.

116. The **International Civil Aviation Organization** (ICAO) supplied information on the status of conventions on terrorism deposited with it.[2] The Organization indicated that the Second Session of the International Explosives Technical Commission (IETC) had been held on 14 and 15 December 2000, preceded by the Twelfth Meeting of the Ad Hoc Group of Specialists on the Detection of Explosives held from 11 to 13 December 2000. On the basis of the technical work and study completed by the Ad Hoc Group, IETC recommended amending the Technical Annex to the Convention on the Marking of Plastic Explosives for the Purpose of Detection by deleting ortho-Mononitrotoluene (o-MNT) from the list of detection agents. Having considered the report from the second session of IETC, the Council approved the recommendation of the Commission. In addition, IETC was developing appropriate guidance material regarding all aspects of the Convention in order to

assist States in its ratification. The third session of the Commission was to be held in June 2002.

117. The **International Atomic Energy Agency** (IAEA) reported that, in November 1999, an informal open-ended expert meeting, convened by the Director General of IAEA, had been held to discuss whether there was a need to revise the Convention on the Physical Protection of Nuclear Material. The expert meeting agreed that a more detailed examination of a number of issues was necessary prior to any conclusions being drawn about the need to revise the Convention. Three meetings of a working group of the Expert Meeting were held during 2000. The group identified several initial recommendations intended to promote further the effective implementation and improvement of physical protection worldwide. The Expert Meeting was expected to consider the final recommendations of the working group and report its conclusions thereon to the Director General in May 2001.

118. The secretariat was invited to assist the Ad Hoc Committee established by the General Assembly in its resolution 51/210 with the development of the draft convention for the suppression of acts of nuclear terrorism. The secretariat participated at the meetings in 1998 and 1999 of the Ad Hoc Committee and of the working group established by the Sixth Committee at the fifty-third session of the Assembly, contributing information on the Agency's relevant responsibilities and activities. Consultations in the United Nations continued and IAEA was ready to assist the United Nations in that effort.

119. In 2000 the IAEA General Conference requested the Director General to bring to the attention of the General Assembly its resolution GC(44)/RES/20, entitled "Measures against illicit trafficking in nuclear materials and other radioactive sources", and invited the Assembly, in its continued development of the draft convention for the suppression of acts of nuclear terrorism, to bear in mind the Agency's activities in preventing and combating illicit trafficking in nuclear materials and other radioactive materials.

120. IAEA had not received any direct information regarding incidents caused by international terrorism. However, as part of its "Security of Material" Programme, IAEA had been asked by several countries to analyse nuclear material that had been seized by national authorities. Such material had been involved in illicit nuclear material trafficking incidents and such incidents had involved criminal investigation and prosecution. Those efforts were part of the IAEA Programme, which also incorporated activities aimed at providing assistance to member States to establish the necessary infrastructure to control and protect their nuclear material.

2. Other international organizations

121. The **Commonwealth of Independent States** (CIS) stated that by analysing the trends in the development of the situation in the central Asian region, the northern Caucasus and other regions, it was possible to conclude that international terrorism today was becoming a geopolitical challenge for the entire world community. Today, the States members of CIS, by virtue of their geopolitical position, were in the front ranks of the struggle against international terrorism. The situation in those regions was being shaped, above all, under the influence of processes taking place in Afghanistan. The escalation in acts of international terrorism and religious extremism in central Asia was designed to establish in the region a single religious-fundamentalist State, which might lead to a radical change in the geopolitical situation, with unpredictable consequences.

122. In that connection, the CIS member States had devised and were implementing a system of preventive measures to counteract international terrorism and other forms of extremism. In June 2000, the heads of 11 CIS States adopted the Programme of CIS States Members to Combat International Terrorism and Other Forms of Extremism up to the Year 2003.

123. The basic areas for cooperation in counteracting international terrorism under the Programme's format were:

(a) Accession by CIS States to the basic international treaties on combating international terrorism concluded within the framework of the United Nations, its specialized agencies, IAEA and the Council of Europe;

(b) Carrying out the necessary procedures within States for the entry into force of the international treaties on combating terrorism;

(c) Drawing up model legislative acts on combating international terrorism and, on that basis,

harmonizing the national legislation of CIS States in that field;

(d) Conducting joint command-post and operational-tactical anti-terrorist exercises;

(e) Carrying out coordinated interdepartmental operational and preventive special-purpose measures and special operations for preventing, detecting and halting the activities of international terrorist organizations;

(f) Setting up data banks on international terrorist organizations, their leaders, structures and persons that provide support to international terrorists;

(g) Exchanging operational information;

(h) Holding practical scientific conferences on the problems of combating international terrorism and other forms of extremism;

(i) Training specialists and instructors in sub-units participating in the fight against international terrorism.

124. The CIS Anti-Terrorist Centre was established in December 2000 by a decision taken by the Commonwealth's Council of Heads of State. The Centre was a permanently functioning specialized CIS body and was designed to coordinate cooperation between the competent bodies of CIS States in combating international terrorism.

125. The Anti-Terrorist Centre's basic tasks and functions were:

(a) To draw up proposals on areas for developing cooperation by CIS States in combating international terrorism;

(b) To set up a specialized data bank;

(c) To participate in the preparation and holding of command-post and operational-tactical anti-terrorist exercises;

(d) To provide assistance to CIS States in preparing and carrying out operational search measures and combined operations for combating international terrorism;

(e) To design models for coordinated anti-terrorist measures and provide assistance for their implementation;

(f) To establish and maintain working contacts with international centres and organizations dealing with matters related to combating international terrorism.

126. In June 1999, the Heads of Government of the CIS States signed the Treaty on Cooperation between the CIS States Members in Combating Terrorism, which is establishing the legal basis for cooperation by the competent bodies with regard to the prevention, detection, halting and investigation of acts of terrorism.

127. Joint practical actions by the CIS States to combat terrorism were first undertaken on a large scale in 1999 as a countermeasure to the incursion by bandit units of international terrorists into the southern districts of Kyrgyzstan.

128. The joint command-post exercises "Commonwealth-99 Southern Shield" and "Commonwealth-2000 Southern Shield" were conducted in order to work out questions regarding leadership organization and use of international troop contingents.

129. The formation of collective rapid-deployment forces for the Central Asian region, which were being set up, first and foremost, in order to conduct counter-terrorist operations, could be an important result of the joint efforts.

130. Those and other joint measures by the CIS States in combating international terrorism, were without a doubt, having a serious impact in counteracting its spread.

131. In the view of the Community, the well-known objectives and dimensions of that very dangerous challenge to the world community required the further development not only of regional interaction, but also of cooperation by all the States Members of the United Nations in the struggle against international terrorism.

132. The **Council of Europe** provided information concerning the current state of signatures and ratifications of the European Convention on the Suppression of Terrorism.[2] In addition it indicated that, through the years, the Committee of Ministers of the Council of Europe had adopted the following texts on matters pertaining to terrorism:

(a) Resolution (74) 3, on international terrorism (24 January 1974);

(b) European Convention on the Suppression of Terrorism (Strasbourg, 27 January 1977);

(c) Declaration on Terrorism (23 November 1978);

(d) Recommendation R (82) 1, concerning international cooperation in the prosecution and punishment of acts of terrorism;

(e) Report on extortions under terrorist threats (1986).

133. The most relevant of those texts was the European Convention, which was designed to facilitate the extradition of persons having committed acts of terrorism. To that end, it listed the offences that parties undertook not to consider as political offences, or as offences connected with political offences, or as offences inspired by political motives, namely, acts of particular gravity, hijacking of aircraft, kidnapping and taking of hostages, the use of bombs, grenades, rockets, letter of parcel bombs, if their use endangered persons. Moreover, the Convention empowered parties not to consider as a political offence any act of violence against the life, physical integrity or liberty of a person.

134. It was expressly provided that nothing in the Convention should be interpreted as imposing an obligation upon a party to extradite a person who might then be prosecuted or punished solely on the grounds of race, religion, nationality or political opinion.

135. The Parliamentary Assembly of the Council of Europe had adopted the following texts on matters pertaining to terrorism:

(a) Recommendation 684 (1972), concerning international terrorism;

(b) Recommendation 703 (1973), concerning international terrorism;

(c) Recommendation 852 (1979), concerning international terrorism;

(d) Recommendation 916 (1981), concerning the Conference on Defence of Democracy against Terrorism in Europe: Tasks and Problems;

(e) Recommendation 941 (1982), concerning the defence of democracy against terrorism in Europe;

(f) Recommendation 982 (1984), concerning the defence of democracy against terrorism in Europe;

(g) Recommendation 1010 (1985), concerning aviation security;

(h) Recommendation 1024 (1986), concerning the European response to international terrorism;

(i) Resolution 863 (1986), concerning the European response to international terrorism;

(j) Recommendation 1099 (1989), concerning aviation security;

(k) Recommendation 1170 (1991), concerning the strengthening of the European Convention on the Suppression of Terrorism;

(l) Recommendation 1199 (1992), concerning the fight against international terrorism in Europe;

(m) Resolution 1132 (1997), concerning the organization of a parliamentary conference to reinforce democratic systems in Europe and cooperation in the fight against terrorism;

(n) Recommendation 1426 (1999), concerning European democracies facing up to terrorism.

136. Moreover, in October 1998 it organized a parliamentary conference on European democracies facing up to terrorism.

137. The **Organization for Security and Cooperation in Europe** (OSCE) provided a compilation of excerpts from OSCE documents that addressed the issue of terrorism.[3]

III. International legal instruments related to the prevention and suppression of international terrorism

A. Status of international conventions pertaining to international terrorism

138. Currently, there are 19 global or regional treaties pertaining to the subject of international terrorism. Each instrument listed below is represented by the letter shown on the left, which is featured in the tables that follow to reflect the status of that instrument:

A. Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 September 1963 (entered into force on 4 December 1969): status as at 1 May 2001;[6]

B. Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970 (entered into force on 14 October 1971): status as at 1 May 2001;[6]

C. Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1971 (entered into force on 26 January 1973): status as at 1 May 2001;[6]

D. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973 (entered into force on 20 February 1977): status as at 13 June 2001;[7]

E. International Convention against the Taking of Hostages, adopted by the General Assembly of the United Nations on 17 December 1979 (entered into force on 3 June 1983): status as at 13 June 2001;[7]

F. Convention on the Physical Protection of Nuclear Material, signed at Vienna on 3 March 1980 (entered into force on 8 February 1987): status as at 25 April 2001;[8]

G. Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 24 February 1988 (entered into force on 6 August 1989): status as at 1 May 2001;[8]

H. Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done at Rome on 10 March 1988 (entered into force on 1 March 1992): status as at 30 April 2001;[9]

I. Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done at Rome on 10 March 1988 (entered into force on 1 March 1992): status as at 30 April 2001;[9]

J. Convention on the Marking of Plastic Explosives for the Purpose of Detection, signed at Montreal on 1 March 1991 (entered into force on 21 June 1998): status as at 1 May 2001;[10]

K. International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15 December

1997 (opened for signature on 12 January 1998 until 31 December 1999): status as at 13 June 2001;[7]

L. International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 December 1999 (opened for signature on 10 January 2000 until 31 December 2001): status as at 13 June 2001;[7]

M. Arab Convention on the Suppression of Terrorism, signed at a meeting held at the General Secretariat of the League of Arab States in Cairo on 22 April 1998: status as at 25 October 1999;

N. Convention of the Organization of the Islamic Conference on Combating International Terrorism, adopted at Ouagadougou on 1 July 1999: status as at 1 July 2000;

O. European Convention on the Suppression of Terrorism, concluded at Strasbourg on 27 January 1977 (entered into force on 4 August 1978): status as at 15 June 2001;[11]

P. OAS Convention to Prevent and Punish Acts of Terrorism Taking the Form of Crimes against Persons and Related Extortion that are of International Significance, concluded at Washington, D.C., on 2 February 1971 (entered into force on 16 October 1973): status as at 5 February 1999;

Q. OAU Convention on the Prevention and Combating of Terrorism, adopted at Algiers on 14 July 1999: status as at 1 July 2000;

R. SAARC Regional Convention on Suppression of Terrorism, signed at Kathmandu on 4 November 1987 (entered into force on 22 August 1988): all seven States members of SAARC (Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka) are parties to the Convention;

S. Treaty on Cooperation among States Members of the Commonwealth of Independent States in Combating Terrorism, done at Minsk on 4 June 1999: status as at 4 June 1999.

Table 1

Total participation in international conventions pertaining to international terrorism

Signature																	
A	*B*	*C*	*D*	*E*	*F*	*G*	*H*	*I*	*J*	*K*	*L*	*M*	*N*	*O*	*P*	*Q*	*R*	*S*
41	77	60	25	39	45[a]	69	41	39	51	59	43	22[b]	3	37	17	36[c]	-	8

Ratification, accession or succession																	
A	*B*	*C*	*D*	*E*	*F*	*G*	*H*	*I*	*J*	*K*	*L*	*M*	*N*	*O*	*P*	*Q*	*R*	*S*
171	173	174	107	95	69[a]	107	52	48	66	24	3	12	-	36	13	-	7	-

[a] Includes the European Atomic Energy Community, which is not listed in table 2.
[b] Includes the Palestinian Authority.
[c] Includes the Saharawi Arab Democratic Republic.

Table 2
Status of participation in international conventions pertaining to international terrorism

State	Signature																		Ratification, accession or succession																	
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S
Afghanistan		B								J										A	B	C																
Albania															O					A	B	C											O				
Algeria											K	L	M	N			Q			A	B	C	D	E		G	H		J			M					
Andorra																																						
Angola																	Q			A	B	C															
Antigua and Barbuda																				A	B	C	D	E	F												
Argentina		B	C			F	G	H	I	J	K	L								A	B	C	D	E	F	G	H		J								
Armenia																			S				D		F												
Australia		B	C	D		F														A	B	C	D	E	F	G	H	I									
Austria		B	C		E	F	G	H		J	K				O					A	B	C	D	E	F	G	H	I	J	K			O				
Azerbaijan																			S		B	C	D	E		G			J	K							
Bahamas								H	I											A	B	C	D	E													
Bahrain													M							A	B	C				G			J			M					
Bangladesh																				A	B	C															R
Barbados	A	B	C																	A	B	C	D	E			H	I									
Belarus		B	C	D			G	H	I	J	K									A	B	C	D	E	F	G				K							
Belgium	A	B	C		E	F	G	H	I	J	K				O					A	B	C		E	F	G							O				
Belize										J										A	B	C				G											
Benin		B															Q				B																
Bhutan																				A	B	C	D	E													R
Bolivia					E					J										A	B	C															
Bosnia and Herzegovina																				A	B	C	D	E	F	G											
Botswana			C									L					Q			A	B	C	D	E	F	G	H	I	J	K	L						
Brazil	A	B	C			F	G	H	I	J	K									A	B	C	D	E	F	G								P			
Brunei Darussalam								H	I											A	B	C	D	E		G											
Bulgaria		B	C	D		F	G	H	I	J		L			O					A	B	C	D	E	F	G	H	I	J				O				

State	Signatures																			Ratification, accession or succession																			
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S
Burkina Faso	A																			A	B	C				G													
Burundi		B	C								K						Q			A		C	D																
Cambodia		B																		A	B	C				G												
Cameroon							G													A	B	C	D	E					J									
Canada	A	B	C	D	E	F	G	H	I	J	K	L								A	B	C	D	E	F	G	H	I	J									
Cape Verde																				A	B	C																
Central African Republic																				A	B	C				G												
Chad		B	C														Q			A	B	C																
Chile		B			E		G	H	I	J		L				P				A	B	C	D	E	F	G	H	I	J								
China							G	H	I							P				A	B	C	D	E	F	G	H	I										
Colombia	A	B								J						P				A	B	C	D												P			
Comoros											K	L	M				Q			A	B	C																
Congo (Republic of the)	A		C				G										Q			A	B	C																
Cook Islands																																						
Costa Rica		B	C				G	H	I	J	K	L				P				A	B	C	D												P			
Côte d'Ivoire							G			J	K						Q			A	B	C		E														
Croatia																				A	B	C	D		F	G												
Cuba																				A			D		F													
Cyprus			C								K	L			O					A	B	C	D	E	F		H	I		K			O				
Czech Republic											K	L			O					A	B	C	D	E	F	G			J	K			O				
Democratic People's Republic of Korea							G													A	B	C	D															
Democratic Republic of the Congo					E		G										Q			A	B	C	D															
Denmark	A	B	C	D		F	G	H	I	J	K				O					A	B	C	D	E	F	G	H	I	J				O				
Djibouti													M							A	B	C																
Dominica																								E														

State	Signature																		Ratification, accession or succession																	
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S
Dominican Republic		B	C		E	F										P				A	B	C	D													P			
Ecuador	A	B		D		F		H	I	J		L				P				A	B	C	D	E	F				J									
Egypt			C		E		G	H	I	J	K	L	M	N			Q			A	B	C	D	E		G	H	I	J		M							
El Salvador		B			E											P				A	B	C	D	E		G	H	I	J					P				
Equatorial Guinea		B															Q			A	B	C																
Eritrea																	Q												J									
Estonia											K	L			O					A	B	C	D		F	G		J					O					
Ethiopia		B	C				G										Q			A	B	C				G												
Fiji		B	C																	A	B	C				G												
Finland	A	B		D	E	F	G	H		J	K	L			O					A	B	C	D	E	F		H	I					O					
France	A	B				F	G	H	I	J	K	L			O					A	B	C		E	F	G	H	I	J	K			O					
Gabon		B	C		E		G			J		L					Q			A	B	C	D															
Gambia		B															Q			A	B	C				G	H		J								
Georgia												L			O				S	A	B	C				G			J				O					
Germany	A	B	C	D	E	F	G			J	K	L			O					A	B	C	D	E	F	G	H	I	J				O					
Ghana		B					G			J							Q			A	B	C	D	E		G			J									
Greece	A	B	C		E	F	G	H	I	J	K	L			O					A	B	C	D	E	F	G	H	I	J				O					
Grenada																				A	B	C		E														
Guatemala	A	B	C	D	E	F										P				A	B	C	D	E	F	G			J					P				
Guinea										J										A	B	C				G				K								
Guinea-Bissau										J							Q				B	C																
Guyana																				A	B	C																
Haiti			C		E	F														A	B	C	D	E														
Holy See	A																																					
Honduras					E					J						P				A	B	C		E														
Hungary		B	C	D		F	G	H	I	J	K				O					A	B	C	D	E	F	G	H	I	J				O					
Iceland				D			G				K				O					A	B	C	D	E		G								O					
India		B	C								K	L								A	B	C	D	E		G	H	I	J	K								R
Indonesia	A	B				F	G													A	B	C			F													

State	Signature																		Ratification, accession or succession																	
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S
Iran (Islamic Republic of)		B																		A	B	C	D															
Iraq		B			E			H	I				M							A	B	C	D			G											
Ireland	A					F	G				K				O					A	B	C			F	G							O				
Israel	A	B	C		E	F	G	H	I	J	K	L								A	B	C	D			G											
Italy	A	B	C	D	E	F	G	H	I		K	L			O					A	B	C	D	E	F	G	H	I					O				
Jamaica		B	C		E		G									P				A	B	C	D														
Japan	A	B			E						K									A	B	C	D	E	F	G	H	I	J								
Jordan		B	C				G	H	I	J			M							A	B	C	D	E		G			J		M					
Kazakhstan																			S	A	B	C	D	E		G			J							
Kenya																				A	B	C		E		G											
Kiribati																																					
Kuwait		B					G			J			M						S	A	B	C	D	E		G			J							
Kyrgyzstan																																					
Lao People's Democratic Republic		B	C																S	A	B	C				G			J	K						
Latvia																				A	B	C															
Lebanon							G			J			M		O					A	B	C	D			G			J				O				
Lesotho					E							L					Q			A	B	C	D	E	F	G	H	I	J								
Liberia	A				E		G	H	I											A	B	C		E													
Libyan Arab Jamahiriya													M				Q				B	C	D				H	I									
Liechtenstein		B				F									O					A	B	C	D	E	F	G				K		M					
Lithuania											K				O					A	B	C	D	E	F	G								O				
Luxembourg		B	C		E	F	G				K				O					A	B	C		E	F	G			J					O				
Madagascar	A									J	K						Q			A	B	C		E	F									O				
Malawi							G													A	B	C				G											
Malaysia		B					G													A	B	C	D	E													
Maldives																				A	B	C															
Mali										J							Q			A	B	C	D			G			J	K						R	
Malta												L			O					A	B	C		E		G			J								
																				A	B	C				G			J				O				

State	Signature																		Ratification, accession or succession																	
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S
Marshall Islands							G													A	B	C				G	H	I										
Mauritania													M				Q			A	B	C	D	E														
Mauritius					E		G			J										A	B	C		E		G											
Mexico	A	B	C				G			J		L				P				A	B	C	D	E	F	G	H	I	J					P			
Micronesia (Federated States of)																																						
Monaco											K									A	B	C			F	G			J								
Mongolia		B	C	D		F														A	B	C	D	E	F	G			J	K							
Morocco						F	G	H	I				M							A	B	C							J								
Mozambique																	Q																				
Myanmar																				A	B	C				G											
Namibia																	Q																				
Nauru																				A	B	C															
Nepal											K									A	B	C	D	E													R
Netherlands	A	B	C		E	F	G	H	I	J	K	L			O					A	B	C	D	E	F	G	H	I	J					O			
New Zealand		B	C		E		G	H	I			L								A	B	C	D	E		G	H	I									
Nicaragua			C	D						J						P				A	B	C	D												P			
Niger	A	B	C			F	G													A	B	C	D														
Nigeria	A							H	I			L								A	B	C															
Niue																																						
Norway	A	B		D	E	F	G	H	I	J	K				O					A	B	C	D	E	F	G	H	I	J	K				O			
Oman													M							A	B	C	D	E		G	H	I				M					
Pakistan	A	B					G			J										A	B	C	D	E	F	G	H	I									R
Palau																				A	B	C				G											
Panama	A	B	C		E	F					K					P				A	B	C	D	E	F	G			J	K				P			
Papua New Guinea																				A	B	C															
Paraguay		B	C	D		F														A	B	C	D		F											
Peru							G			J		L				P				A	B	C	D		F	G			J					P			
Philippines	A	B	C		E	F	G	H	I		K									A	B	C	D	E	F												
Poland		B	C	D		F	G	H	I		K				O					A	B	C	D	E	F		H	I					O				

State	Signature																		Ratification, accession or succession																	
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S
Portugal	A	B	C		E	F	G				K	L			O					A	B	C	D	E	F		H	I						O					
Qatar													M							A	B	C	D						J									
Republic of Korea	A					F	G			J	K									A	B	C	D	E	F	G												
Republic of Moldova															O				S	A	B	C	D		F	G			J				O					
Romania		B	C	D		F	G				K	L			O					A	B	C	D	E	F	G	H	I	J				O					
Russian Federation		B	C	D		F	G	H	I	J	K	L			O				S	A	B	C	D	E	F	G				K			O					
Rwanda		B	C	D													Q			A	B	C	D															
Saint Kitts and Nevis																								E														
Saint Lucia																				A	B	C				G												
Saint Vincent and the Grenadines							G																															
Samoa																				A	B	C	D	E		G												
San Marino												L								A	B	C				G			J									
Sao Tome and Principe																																						
Saudi Arabia	A						G	H	I				M	N																								
Senegal	A	B	C		E		G			J							Q			A	B	C		E		G			J		M						
Seychelles								H	I											A	B	C		E													
Sierra Leone		B																		A	B	C	D				H	I									
Singapore		B	C														Q			A	B	C															
Slovakia																				A	B	C				G											
Slovenia											K	L			O					A	B	C	D	E	F	G	H	I	J				O					
Solomon Islands											K				O					A	B	C	D	E	F	G			J	K			O					
Somalia													M							A		C															
South Africa		B	C			F					K						Q			A	B	C				G			J								
Spain	A	B	C			F	G	H	I	J	K	L			O					A	B	C	D	E	F	G	H	I	J	K			O					
Sri Lanka							G				K	L								A	B	C	D	E		G	H	I		K	L					R	
Sudan											K	L	M				Q			A	B	C	D	E	F	G	H	I	J	K		M					

State	Signature																		Ratification, accession or succession																	
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S
Suriname					E															A	B	C		E													
Swaziland																	Q			A	B	C															
Sweden	A	B		D	E		G	H	I	J	K				O					A	B	C	D	E	F	G	H	I					O				
Switzerland	A	B	C		E		F	G	H	J		L			O					A	B	C	D	E	F	G	H	I	J				O				
Syrian Arab Republic													M							A	B	C	D														
Tajikistan																			S	A	B	C			F	G											
Thailand		B																		A	B	C				G											
The former Yugoslav Republic of Macedonia											K	L								A	B	C	D	E	F	G			J								
Togo					E		G			J	K						Q			A	B	C	D	E		G											
Tonga																					B	C															
Trinidad and Tobago		B	C													P				A	B	C	D	E	F	G	H	I	J	K							
Tunisia				D									M				Q			A	B	C	D	E	F	G	H	I	J			M					
Turkey		B	C			F	G	H	I	J	K				O					A	B	C	D	E	F	G	H	I	J					O			
Turkmenistan											K									A	B	C	D	E		G	H	I		K							
Tuvalu																																					
Uganda					E						K						Q			A	B	C				G											
Ukraine		B	C	D			G	H	I	J		L			O					A	B	C	D	E	F	G	H	I	J								
United Arab Emirates							G						M							A	B	C				G			J			M					
United Kingdom of Great Britain and Northern Ireland	A	B	C	D	E	F	G	H	I	J	K	L			O					A	B	C	D	E	F	G	H	I	J	K	L			O			
United Republic of Tanzania																	Q			A	B	C															
United States of America	A	B	C	D	E	F	G	H	I	J	K	L				P				A	B	C	D	E	F	G	H	I	J						P		
Uruguay											K					P				A	B	C	D			G									P		

State	Signature																		Ratification, accession or succession																	
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S
Uzbekistan											K	L								A	B	C	D	E	F	G	H	I	J	K								
Vanuatu																				A	B	C					H	I										
Venezuela	A	B	C				G				K					P				A	B	C		E											P			
Viet Nam																				A	B	C				G												
Yemen			C										M							A	B	C	D				H	I		K		M						
Yugoslavia						F																	D	E	F													
Zambia																				A	B	C							J									
Zimbabwe																				A	B	C																

B. Recent developments related to General Assembly resolution 51/210

139. By its resolution 55/158, the General Assembly reaffirmed the mandate of the Ad Hoc Committee established by it in its resolution 51/210. The Ad Hoc Committee held its fifth session from 12 to 23 February 2001 to continue to develop a comprehensive convention on international terrorism, to continue its efforts to resolve the outstanding issues relating to the development of a draft international convention for the suppression of acts of nuclear terrorism, as a means of further developing a comprehensive lega' framework of conventions dealing with international terrorism, and to address the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations.[12]

140. The work of the Ad Hoc Committee is expected to continue from 15 to 26 October 2001 within the framework of a working group of the Sixth Committee (see resolution 55/158, para. 14).

IV. Information on workshops and training courses on combating crimes connected with international terrorism

141. The Terrorism Prevention Branch of the Centre for International Crime Prevention of the United Nations Office for Drug Control and Crime Prevention indicated that in view of the fact that there was very little difference between two surveys previously carried out by the Branch in order to review the possibilities existing within the United Nations system for assisting States in organizing workshops and training courses on combating crime connected with international terrorism, no additional survey had been conducted during the period under review. However, the United Nations Institute for Training and Research continued with its self-study course on global terrorism as part of its Training Programme of Correspondence Instruction in Peacekeeping Operations (Geneva/New York). Between 7 January 2000 and 4 May 2001, the course received 147 enrolments from 20 countries: Australia, Austria, Belgium, Bosnia and Herzegovina, Canada, Ethiopia, Germany, Italy, Kuwait, Nepal, Netherlands, Nigeria, Panama, Russian Federation, Rwanda, Singapore, Spain, United Arab Emirates, United Kingdom and United States.

142. Furthermore, in response to Economic and Social Council resolution 1999/24 of 28 July 1999, the Centre for International Crime Prevention had prepared and distributed a questionnaire to Member States and relevant international organizations and other entities on their projects involving international technical assistance and training in the field of crime prevention and criminal justice. The information received in response to the questionnaire was contained in the report of the Secretary-General of 26 March 2001 (E/CN.15/2001/7). From the 38 replies to the questionnaire, 11 of which were from Member States, it was found that there were five projects in the field of terrorism. For example, one country in central Europe reported that it had received technical cooperation from various countries, with terrorism being one of the fields of project assistance. In addition, a country in Latin America reported that it had received technical cooperation through three projects, one of which involved strengthening the work of the Commission for Pardons and commutation of sentences for persons sentenced for crimes of terrorism and treason. Furthermore, a country in Asia, which was a provider of international cooperation in crime prevention and criminal justice, funded 13 projects in 2000, one of which was a seminar on international terrorism and technical measures against cyber-crime.

143. During the past year, the Terrorism Prevention Branch had engaged in various activities indicated below consistent with its research and technical cooperation mandate.

144. In the area of research and information-gathering, the Terrorism Prevention Branch continued to maintain its electronic databases as well as various chronologies that were linked to the incident database on terrorism. Those chronologies had, in part, been established prior to its current databases. The Terrorism Prevention Branch also continued work on the first biennial Global Terrorism Survey, which was scheduled for publication in late 2001.

145. In addition, three, from a series of six, case studies on (de-)escalation of violence of terrorist organizations with links to drug production or trafficking had been completed.

146. The Terrorism Prevention Branch reported that it had hosted two professors on sabbatical leave who worked on a project concerning indicators of terrorist escalation. Furthermore, in order to continue its liaison function with academia, a List of Research Desiderata was mailed to academic centres interested in the subject of terrorism in order to stimulate research in areas relevant to the prevention of terrorism. The Terrorism Prevention Branch also continued to maintain and expand a roster of experts.

147. In the field of technical assistance, it was anticipated that the Terrorism Prevention Branch would, subject to availability of funding, be able to complete approximately three of the six manuals for which it had, in the previous year, prepared a proposal or outline. Unfortunately, none of the manuals could be completed owing to financial and manpower constraints. However, a "Toolbox of Counter-terrorist Measures" had been created and was being elaborated upon. Moreover, a project proposal entitled "Technical cooperation for the promotion of international instruments related to the prevention and suppression of international terrorism" was being drawn up. Such a project would be carried out in coordination with the Codification Division of the Office of Legal Affairs, thus also serving to further enhance and solidify the relationship between that Office and the Terrorism Prevention Branch.

148. The Terrorism Prevention Branch continued to serve as a clearing house of information. In addition to its databases, the Branch helped organize, with the International Scientific and Professional Advisory Council (ISPAC) of the United Nations Criminal Justice Programme, an international conference on countering terrorism through enhanced international cooperation. Furthermore, the Terrorism Prevention Branch edited and published the proceedings of the conference, which were made available to the States members of the Commission on Crime Prevention and Criminal Justice. The Terrorism Prevention Branch also prepared, organized and served as scientific coordinator of a symposium on rule of law in the global village: issues of sovereignty and universality, which was the main side event of the High-level Political Signing Conference for the United Nations Convention against Transnational Organized Crime, held in Palermo, Italy, in December 2000. The proceedings of the event were also published by the Terrorism Prevention Branch for ISPAC and made available in May 2001 to the Commission on Crime Prevention and Criminal Justice.

149. ICAO reported that it continued the development of its training programme for aviation security, which consisted of a series of aviation security training packages designed for global application. To date, seven packages had been completed and were available for sale and distribution throughout the international civil aviation community, namely, 123/AIRLINE, 123/BASIC, 123/CARGO, 123/CRISIS MANAGEMENT, 123/INSTRUCTORS, 123/MANAGEMENT and 123/SUPERVISORS. The purpose of the initiative was to provide States with the necessary training tools that would in turn assist them in developing the components of their national aviation security training programme. Furthermore, in order to meet States' training requirements and to render assistance in the area of programme formulation, topic-focused seminars/workshops had been developed and were being conducted in all ICAO regions under the mechanism for effective implementation of standards and recommended practices.

150. IAEA reported that its secretariat continued to carry out a number of activities in support of member States' efforts to prevent, detect and respond to illicit trafficking in nuclear materials and other radioactive sources. Those activities involved the illicit trafficking database programme, guidance, training, technical support services and information exchange.

151. As at 31 March 2001, the database contained a total of 366 cases that had been confirmed by States involving nuclear materials, radioactive sources or both. Some of the confirmed incidents reflected detections of contaminated scrap metal or unregistered sources that probably did not involve criminal intent. Of the confirmed cases, slightly less than half (170) involved nuclear material. Currently, 69 States were participating in the programme.

152. With regard to physical protection of nuclear material the secretariat was working together with its member States in developing a set of international recommendations for protection against the theft or other unauthorized removal of nuclear materials and against the sabotage of nuclear facilities.

153. IAEA published the document in 1999 "*The Physical Protection of Nuclear Material and Nuclear Facilities*" (INFCIRC/225/Rev.4 (Corr.)). The secretariat had a substantial programme for providing

guidance to member States for the implementation of those recommendations.

154. To facilitate the global implementation of the document mentioned above, IAEA, together with experts from member States, had developed two additional guidance documents. The first "Guidance and Considerations for Implementation of INFCIRC/225/Rev.4 (Corr.)" (TECDOC/967 (Rev.1)), provided broad guidance for relevant State authorities and explained and amplified the recommendations for the protection of nuclear material and facilities. The second, the Handbook on the Physical Protection of Nuclear Material and Facilities, provided guidance to the facility operator (licensee) with references to the practical aspects of the design, operation and maintenance of security systems to provide effective protection of nuclear material and facilities. The Handbook was in draft form and was expected to be available by the end of 2001.

155. The IAEA training programme consists of international, regional and national training and, as dictated by special needs, other topical workshops and information exchanges. In that particular field, the Agency conducted a number of training courses and workshops that fitted into three general areas: physical protection of nuclear material; prevention of nuclear smuggling; and State systems of accounting for and control of nuclear material.

156. As regards the physical protection of nuclear material, IAEA indicated that international, national and regional training courses on physical protection of nuclear materials and facilities had been conducted since 1978 and would continue to be held during 2001 and 2002. An international training course in physical protection was conducted every second year in Albuquerque, United States of America. Training courses on the implementation of physical protection continued to be offered at the national and regional levels. In November 2000 a course was given in the Russian Federation. Additional courses are planned for June and October 2001. A specialized workshop explaining the methodology to develop a national Design Basis Threat was developed in 2000. Three specialized workshops were planned for April, September and October 2001. Based on requests from member States, workshops would be organized in 2001 and 2002 in other countries of central and eastern Europe and the newly independent States (NIS) under the IAEA Technical Cooperation Programme project entitled "Physical protection and security of nuclear materials" (RER/9/060). Additional training courses or workshops related to the protection of nuclear facilities from sabotage were at present being developed, as well as guidance for the establishment of a legal and regulatory framework for the physical protection of nuclear materials and facilities and for the protection of nuclear material during transport.

157. In relation to the prevention of nuclear smuggling the secretariat, together with the Customs Cooperation Council (CCC, known as the World Customs Organization) and Interpol, had designed a detection and response training programme for customs and other officials, a detection and response training programme consisting of a five-day course on combating illicit trafficking of nuclear material and other radioactive materials. Through the project mentioned above, joint IAEA/CCC/Interpol training courses were held in September 1999 and June 2000. In the last quarter of 2000, three national training courses to customs, border control and investigating authorities were given by IAEA in Belarus, Kazakhstan and Ukraine. IAEA would continue to provide the training upon request from member States. Recognizing the need for more in-depth training in the technical field, IAEA was sponsoring, in a joint effort with the Russian Federation, one-month training courses for customs officers of the NIS. Those courses aimed at training customs officers to provide training to members of their organizations in their home country. Two courses of that kind were planned for 2001. Training activities and other relevant subjects for radiation monitoring at borders were to be discussed at an international meeting in Pushkin, Russian Federation, in April 2001.

158. IAEA had initiated a coordinated research programme that would integrate technical expertise with input from users. The goal of the programme was to promote the development of the next generation of equipment to monitor and detect radioactive materials to be used by field personnel. IAEA continued to respond to member States' requests on nuclear smuggling through the facilitation of participation of member States' representatives in national and regional seminars and in activities of bilateral programmes.

159. Training to upgrade States' system of accounting for and control (SSAC) of nuclear materials (as required for the application of IAEA Safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons)[13] was also recognized as an

important element in the programme against illicit trafficking. A large number of personnel from the NIS as well as individuals from the Russian Federation, Latin America, central and east Asia and the Pacific and other parts of the world had participated in training courses organized and conducted by the Agency and member States.

160. Since 1992 the IAEA's coordinated technical support programme to the NIS had been used as a mechanism to coordinate bilateral donor State assistance for the establishment/improvement of nuclear material accountancy and control systems, export/import control systems and physical protection systems in the NIS. The programme included training courses, workshops and seminars to provide assistance in implementing and running those systems.

161. In July 2000, under the framework of the programme, IAEA held, together with Ukraine, a workshop on nuclear material accounting and reporting. Workshops were also held on familiarization with IAEA Safeguards activities in Belarus and Uzbekistan, in June and October 2000, respectively. Similar workshops were planned for Kiev in March 2001 and Obninsk, Russian Federation, in June 2001, as part of an effort to continue to assist States in strengthening their nuclear material control systems. The Safeguards Implementation Review Group for Ukrainian Facilities, a bilateral body whose main objective was to ensure efficient and cost-effective implementation of IAEA Safeguards in Ukraine, met in Vienna in September 2000. During 2000, a document was prepared and distributed by IAEA to the NIS to carry out a self-assessment of the status of their SSACs through which future needs for support and cooperation could be identified and addressed. Meetings with various States would be held in 2001 to review and discuss the results of the self-assessment in order to support SSAC development.

162. IAEA reported that one of the major objectives of the physical protection activities was to convey a basic understanding of the need to protect nuclear materials and of the tools necessary for developing and operating a national physical protection system.

163. Within the framework of its technical cooperation programme, the secretariat assisted States of central and eastern Europe, the NIS and countries of east Asia and the Pacific in establishing legal frameworks that complied with the basic requirements of relevant treaties, conventions and protocols and relevant international recommendations. A new technical cooperation project on legislative assistance for the countries of the Africa region was expected to start in 2001.

V. Publication of a compendium of national laws and regulations regarding the prevention and suppression of international terrorism in all its forms and manifestations

164. As at 15 June 2001, the Secretary-General had received texts of laws and regulations regarding the prevention and suppression of international terrorism from the Governments of the following States: Algeria, Armenia, Australia, Austria, Azerbaijan, Belarus, Burkina Faso, Canada, China, Colombia, Cook Islands, Ecuador, El Salvador, Fiji, Georgia, Germany, Guatemala, Hungary, Iceland, Israel, Italy, Japan, Malawi, Maldives, Mauritius, Mexico, New Zealand, Norway, Philippines, Republic of Korea, Russian Federation, Slovakia, Sri Lanka, Syrian Arab Republic, Sweden, Switzerland, Tunisia, Turkey, Ukraine and United Kingdom. The texts are available for consultation in the Codification Division of the Office of Legal Affairs.

165. Pursuant to paragraph 10 (b) of the Declaration on Measures to Eliminate International Terrorism, the compendium referred to therein is currently being published. The Secretariat would like to renew its request to those States which have not yet done so to submit information on their national laws and regulations for inclusion in future volumes.

166. In February 2001, the Secretariat published *International Instruments related to the Prevention and Suppression of International Terrorism*[14] containing the texts of global and regional instruments.

Notes

[1] Note also the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism (resolution 51/210, annex).

[2] See sect. III.A.

[3] Available in the Codification Division of the Office of Legal Affairs.

[4] In this regard, reference was made to the many recent letters addressed to the Secretary-General by the Permanent Mission of Israel regarding the continued wave of terrorist attacks against Israelis, including the letters dated 2 February (A/55/762-S/2001/103); 6 February (A/55/767-S/2001/111); 13 February (A/55/781-S/2001/132); 14 February (A/55/787-S/2001/137); 16 February (A/55/792-S/2001/142); 2 March (A/55/819-S/2001/187); 5 March (A/55/821-S/2001/193); 19 March (A/55/842-S/2001/244); 26 March (A/55/858-S/2001/278); 27 March (A/55/860-S/2001/280); 28 March (A/55/863-S/2001/291); 16 April (A/55/901-S/2001/364); 23 April (A/55/910-S/2001/396); 1 May (A/55/924-S/2001/435); and 9 May (A/56/69-S/2001/459).

[5] The annex to the reply from Pakistan contains additional information and is available in the Codification Division of the Office of Legal Affairs.

[6] http://www.icao.int/cgi/goto leb.pl?icao/en/leb/treaty.htm.

[7] http://www.un.org/law.

[8] http://www.iaea.org/worldatom/Documents/Legal.

[9] http://www.imo.org.

[10] http://www.icao.int/cgi/goto leb.pl?icao/en/leb/treaty.htm and http://www.un.org/law.

[11] http://www.legal.coe.int.

[12] See *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 37* (A/56/37).

[13] United Nations, *Treaty Series*, vol. 944, No. 13446.

[14] United Nations publication, Sales No. E.01.V.3. French and Spanish versions are in preparation.